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Newburgh, N. Y.

Historical Papers

no. 13
No. XIII.



*"We turned down to the edge of the mountains,
or the northermost of the mountains, and an-
chored."—Entry in Hudson's Journal, Sept. 29,
1609.*

- | | | |
|--|---------|-------------------------|
| 1. Annual Meeting 1906. | | |
| 2. Vail's Gate Fifty Years Ago, | - - - - | Rev. Francis Washburn. |
| 3. Cohecton, | - - - - | E. M. Ruttenber. |
| 4. The Ramapo Valley During the Revolution, | - - - - | J. Bogart Suffern. |
| 5. Colonel Lewis DuBois, | - - - - | R. Emmet Deyo. |
| 6. The Fullerton Family, | - - - - | Hon. Walter C. Anthony. |
| 7. The Ancestral Home of Washington, | - - - - | Thos. M. Peck. |
| 8. Rev. Wm. K. Hall, D. D., Obituary Minute. | | |

NEWBURGH, N. Y., 1906.

Past Officers.

Enoch L. Fancher, LL. D.,	President,	1883-'85.
Maj. Edward C. Boynton,	"	1885-'88.
Hon. James G. Graham,	"	1888-'90.
Wm. K. Hall, D. D.,	"	1890-'92.
Edward M. Ruttenber,	"	1892-'94.
Rev. Rufus Emery,	"	1894-'99.
Charles H. Weygant,	"	1899-1901.
Charles F. Allan,	"	1902-'03.
David Barclay,	"	1903-'04.
Maj. Edward C. Boynton,	First Vice-President	1883-'85, 1888-93.
John Forsyth, D. D., LL. D.,	"	1885-'87.
Hon. James G. Graham,	"	1887-'88.
J. Hervey Cook,	"	1894-'97.
Charles H. Weygant,	"	1897-'98.
James N. Dickey,	"	1902.
William W. Carson,	Second Vice-President,	1883-'87.
Daniel S. Waring,	"	1887-'92.
J. Hervey Cook,	"	1892-'94.
Hon. James G. Graham,	"	1894-'96.
Charles H. Weygant,	"	1896-'97.
James N. Dickey,	"	1898-'99.
Walter C. Anthony,	"	1902.
Hon. Lewis Beach,	Third Vice-President,	1883-'87.
J. Hervey Cook,	"	1887-'92.
Hugh S. Banks,	"	1892-'93.
Rev. Rufus Emery,	"	1893-'94.
David Carson,	"	1894-'98.
Charles F. Allan,	"	1898-'99.
David A. Morrison,	"	1902.
J. Hervey Cook,	Fourth Vice-President,	1883-'87.
Wm. K. Hall, D. D.,	"	1887-'90.
Hon. James G. Graham,	"	1890-'94.
Charles H. Weygant,	"	1894-'96.
James N. Dickey,	"	1896-'98.
Charles Caldwell,	"	1898-1902.
E. M. Ruttenber,	"	1902-'05.
Charles Estabrook,	Recording Secretary,	1883-1901.
Frank S. Hull,	"	1902.
William J. Roe,	Corresponding Secretary,	1883-1892.
L. S. Sterrit,	"	1892.
Wm. Cook Belknap,	"	1893.
J. N. Weed,	Treasurer,	1883.

Members.

Walter C. Anthony,
Rev. Octavius Applegate, D. D.,
Thomas F. Balfe,
Frederic W. Banks,
David Barclay,
James W. Barnes,
Albert G. Barratt,
William F. Bagshaw,
William Cook Belknap,
George R. Brewster,
Stephen M. Bull,
Daniel G. Cameron,
Rev. J. W. F. Carlisle,
William F. Cassidy,
Henry W. Chadeayne,
Rev. John Marshall Chew,
George Avery Clark,
Harry T. Coldwell,
Roswell C. Coleman,
Claude A. Conover,
A. M. Cook,
A. Elwood Corning,
Denton Cosman,
Daniel J. Coutant,
Macgrane Coxé,
Mrs. Mary D. Craig,
James M. Crane,
Rev. W. B. Darrach,
Hon. Augustus Denniston,
John Deyo, M. D.,
Robert Emmet Deyo,
James N. Dickey,
Mrs. James N. Dickey,
Arthur Dubois,
Darwin W. Esmond,
Frank E. Estabrook,
William Foster,
Nehemiah Fowler,
John Galt,
Dr. W. S. Gleason, M. D.,
Chas. T. Goodrich,
Miss Louise M. Gordon

Miss Theodora Gordon
R. H. Gorie,
Miss Jennie A. Gouldy,
James G. Graham,
Chas. H. Halstead,
James Harrison,
William C. Hart
Genl. Henry C. Hasbrouck,
Russel Headley,
William H. Hilton,
Hon. Michael H. Hirschberg,
Frederic D. Hitch,
Frank S. Hull,
Mrs. Charles S. Jenkins.
Miss Grace Jenkins,
Goldsmith D. Johnes,
J. A. Joslin,
Chas. E. Keefe,
John A. Kernochan,
James T. Lawson,
Nelson B. Lent,
Henry M. Leonard,
Miss Augusta Leslie,
Hiram Lozier,
Francis Lynch,
Joseph McClughan,
William G. McClughan,
Lewis W. Y. McCroskery,
John J. S. McCroskery,
Wm. Johnston McKay,
Arthur A. McLean,
Benj. J. Macdonald,
William O. Mailler,
Edward R. J. Mailler,
John R. McCullough,
George S. Meyer,
Edgar O. Mitchell, M. D.,
John J. Mitchell, M. D.,
Thomas Moore,
David A. Morrison,
Thomas W. Morrison,
George Moshier,

Mrs. M. G. Muir,
 Edward M. Murtfeldt.
 Rev. Ernest F. Neilson,
 Benjamin B. Odell,
 Addison C. Ormsbee,
 George W. Peck,
 Thomas M. Peck,
 George W. Peters,
 Charles Francis Phillips,
 John H. Quinlan,
 Henry P. Ramsdell,
 Samuel Ritchie,
 Charles D. Robinson,
 Edward M. Rutenber,
 F. V. Sanford,
 George A. Sanford,
 Thos. G. Sayre.
 Frederic W. Senff,
 Mrs. Sallie A. F. Servin,
 Saml. E. Shipp,
 Chas. H. Shuart,

Joseph A. Simpson,
 Miss Adelaide Skeel,
 John Smith,
 Nathan S. Smith,
 John A. Staples,
 Mrs. John A. Staples,
 J. Bogart Suffern,
 James S. Taylor,
 Howard Thornton,
 John D. Van Buren,
 Joseph Van Cleft,
 William Vanamee,
 Mrs. William Vanamee,
 Stevenson H. Walsh,
 Cornelius L. Waring,
 Rev. Francis Washburn,
 J. N. Weed,
 Col. Charles H. Weygant,
 H. J. Wilkins,
 Charles S. Williams,
 Mrs. Elizabeth O. Wright.

Life Members.

Julia E. Thatcher.

Henry W. Leroy.

Honorary Members.

Hon. A T. Clearwater.

Rev. Rufus Emery,
 Sylvanus M. Davidson.

Annual Meeting.

The annual meeting of the Historical Society of Newburgh Bay and the Highlands was held on Wednesday evening, October 3d, 1906, in the Library Building. Present were the President, the Hon. Roswell C. Coleman; the Secretary, Frank S. Hull; the Treasurer, Jonathan N. Weed; Hon. Walter C. Anthony, Mr. and Mrs. David A. Morrison, Dr. and Mrs. W. C. Barratt, Mr. A. C. Barratt, Mrs. A. Woolsey, Colonel Charles H. Weygant, the Rev. Francis Washburn, Edward M. Ruttenber, John Deyo, M. D., James Harrison, A. Elwood Corning, the Rev. John W. F. Carlisle, David Barclay, Hiram Lozier, N. Fowler, the Rev. John Marshall Chew, the Rev. W. B. Darach, Charles E. Petty, W. Cook Belknap, and others.

First in order was the reading of a biographical paper of value by the Hon. Walter C. Anthony. It was entitled, "A Brief Account of the Fullerton Family as Connected with Orange County" The paper was listened to with deep interest, and on its conclusion it was ordered printed in the Historical Papers of the Society.

The business of the annual meeting was opened by the presentation of the Annual Report by President Coleman, as follows:

PRESIDENT'S ANNUAL REPORT.

Another year's work of this Society has been completed and a new year is opening before us. While we would be pleased to have accomplished more, still we have done something in securing from the rapidly advancing oblivion of time, local history and gathering together of documents which will be of interest to those who follow after us.

There have been four public meetings of the Society, at which the following papers were read:

"Some Recollections of Vails Gate and Vicinity," by Rev. Francis Washburn.

"Cochecton—Cochecton Turnpike, and the Treaty of 1744-5," by Mr. E. M. Ruttenber.

"Ramapo Valley During the Revolution," by J. Bogart Suffern.

"The Life of Col. Lewis DuBois, Col. 5th Regt. of N. Y. Continental Line in the Army of the Revolution," by R. Emmet Deyo.

Death has claimed from our numbers some of our most valued members during the past year.

Dr. Charles F. Allan, at one time president of this Society, died January 4, 1906. His younger days were spent in Cleveland, Ohio, but early in his manhood, shortly after 1861, he came to Newburgh to practice his profession of dentistry, in which he secured a high reputation, and continued his practice until his death. He was an active and earnest churchman, having been at different times an officer in the St. George's and St. Paul's Episcopal Churches. He was a man of wide reading, genial, quiet and unobtrusive in manners; an intelligent and worthy citizen. He left a widow and a daughter.

Rev. William Walsh, long a member of the Society, died February 8, 1906. He was born June 19, 1819, in the Town of New Windsor, in this county, graduated from Union College in 1838, and soon became a clergyman of the Episcopal Church. For a while he had a parish on Long Island and later one at Waterford, N. Y. Ill health early in life compelled him to give up a settled charge, but he often came to the assistance of his brother clergy, temporarily. At the time of his death he was the oldest Presbyterian of the Diocese of New York, and as such was connected with the Cathedral of St. John's in New York City. Mr. Walsh was a man of kindly disposition, scholarly habits, and much respected. He contributed a number of carefully prepared articles to this society. He was unmarried.

Col. Joseph M. Leeper, a veteran of the Civil War, died April 6, 1906. He was born June 6, 1835, in Pittsburg, Pa., and at the age of twelve years came to live in Newburgh with his uncle, the Rev. Dr. McCarrell, where he attended and graduated from the Academy; and in 1857 was admitted to the bar. In 1861 he removed to Memphis, Tenn., where he intended to practice law, but the war breaking out soon after, he enlisted and served during the war, having served in the ranks and in most of the grades as an officer up to colonel, when he was discharged at the close of the war. After the war he returned to Orange County, resumed the practice of the law, and for many years before his death was a resident of this city. A wife and four children survived him.

The Colonel was an unassuming man by nature. Kind, generous, respected and an entertaining gentleman, full of interesting reminiscence with a well stored mind and memory.

Rev. William Kittridge Hall, D. D., the pastor of the First Presbyterian Church of this city, died September 17, 1906. He was born in the City of Boston, Mass., November 4, 1836, where he prepared for college and graduated from Yale in the class of 1859. After taking a theological course in New Haven he completed his studies in the City of Berlin, Germany, and was ordained a minister of the gospel in 1862. He served during the civil war as chaplain of the 17th Connecticut Vols., and was present at several of the most important battles of that war. He was installed pastor at Stratford, Conn., in 1866, and in Feby., 1873, accepted a call to Newburgh. He was given the degree D. D. by the University of New York in 1881. Besides his

pastoral work in his home church he was chiefly instrumental in bringing Bethel Chapel to its present degree of successful usefulness. He left a widow and three children.

Dr. Hall will long be remembered in this community as one of its most active and useful members, not only in his church but in all its varied interests. He was a Christian man of fine talents, thorough scholarship, forceful and resourceful, eloquent, public spirited, genial and most companionable.

Leander Clark, Jr., for many years an active business man in this city, died September 19, 1906, in the seventieth year of his age.

He was born at Beattiesburgh, Sullivan County, N. Y., but has lived all his manhood in Newburgh, was a graduate of the Newburgh Academy in 1853, and learned the trade of iron founder. He served in the civil war as paymaster's steward and clerk on board a U. S. gunboat. He was several years superintendent of the Newburgh water works and was for a number of years a director of the Quassaick National Bank and of the Orange County Agricultural Society, and was at times engaged in brick making and fruit growing.

Mr. Clark was recognized as an honorable and upright man with good business sagacity and was affable and courteous with his fellowmen.

Historical donations have been received during the past year from:

F. V. Sanford, Esq., photographs of old historic houses.

David Barclay, Esq., photographs of historic houses used in his address before the Society.

Hugh Hastings, Esq., State Historian, vols. 2 and 3 of "The Military Papers of Gov. Daniel D. Tompkins," and the "Ecclesiastical Records of N. Y. State," vols. 5 and 6.

Mrs. Sally A. Forshee Servin, photographs of the old Post House at Edenville, built in 1723.

L. S. Sterrit, Esq., "Sketch of Mr. George Whitefield's Life."

Nehemiah Fowler, Esq., "Litchfield County Centennial Celebration, 1851." "Historical Addresses before the Congregational Church in Salisbury, Conn., at Their First Centennial Celebration, Nov. 20, 1844," and "Morse's North American Atlas."

Mr. W. C. Hart, "Walden and its Environs, With Pen and Camera."

Mr. Wm. H. D. Blake, "Condensed History of the 56th Reg. N. Y. Vet. Vol. Infantry."

-American Historical Society Reports for the years 1900, two vols.; 1901, two vols.; 1902, two vols.; 1903, one vol., and 1904, one vol.

Mr. F. W. Miller, "Collection of Historical Facts."

R. Emmet Deyo, Esq., Pamphlet—"An address delivered before the Forensic Society of the Montgomery Academy, Jany. 29, 1833, by S. W. Eager."

Mr. Wm. Cook Belknap, List of the Company of Infantry commanded by Capt. Griswold in Col. Leonard Smith's Reg., 1809.

Mr. E. M. Ruttenber. photographs of old houses. Pamphlet—"Sterling Furnace and the West Point Chain," and an historical address, "Historic Wallkill and Hudson River Valleys."

J. Bogart Suffern, copy of the old military map made by Mr. Erskine for Gen. Washington.

On motion of Mr. Ruttenber the report was accepted and ordered entered on the minutes, as usual.

TREASURER'S REPORT.

The annual report of Treasurer J. N. Weed was then read by Secretary Hull, as follows:

Newburgh, N. Y., October 3, 1906.

To the Historical Society of Newburgh Bay and the Highlands:

At the date of the last report, October 3, 1905, the balance in the

Treasury was	\$	398 51
Received since		251 21
	\$	649 72

Made up as follows:

Dues. 1897	\$	2 00
" 1898		2 00
" 1899		2 00
" 1900		2 00
" 1901		2 00
" 1902		2 00
" 1903		6 00
" 1904		6 00
" 1905		120 00
" 1906		88 00
Total Dues	\$	232 00
Pamphlets sold		19 21
	\$	251 21

PAYMENTS.

1905.

Lillian O. Estabrook, Librarian, Oct. 5th.....	\$	25 00
100 stamped envelopes for Treasurer, Oct. 30th.....		2 00

Newburgh Journal Co., Historical Papers No. XII,	
January 26th	141 95
Jas. F. O'Neill, Feb. 23d.....	1 00
A. H. Pickens, box and padlock, June 6th.....	1 60
	<hr/> \$ 171 55
Balance at date of this report	\$ 478 17

Respectfully submitted.

J. N. WEED, Treasurer.

On motion the report was received and filed.

NEW MEMBERS.

Propositions for membership were then received, and the following names were read: Charles Francis Phillips, New Brighton, S. I.; Macgrane Cox, New York; George Avery Clark, E. M. Murtfeldt, Stephen M. Bull, John A. Kernochan, Daniel G. Cameron, Thomas W. Morrison, Thomas Moore, John R. McCullough, Joseph McClughan, William G. McClughan, R. H. Gorrie, James W. Barnes, George Moshier, George S. Meyer, Charles E. Keefe, Wm. D. Bagshaw, Henry M. Leonard, Harry T. Coldwell, Charles H. Shuart, Denton Cosman.

On motion of Mr. Ruttenber those named were elected to membership.

IN MEMORIAM.

Mr. Ruttenber spoke of the great interest the late Rev. Dr. William K. Hall had manifested in this Society. Among his last contributions to the society was the biographical notice of the late J. Hervey Cook, of Fishkill-on-Hudson. Mr. Ruttenber suggested that the Society enter upon its record a minute in regard to the death of Dr. Hall. On motion of the Rev. W. B. Darrach, seconded by the Rev. J. W. F. Carlisle, the President was authorized to appoint a committee to prepare such minute and report at the next meeting. E. M. Ruttenber, Rev. J. W. F. Carlisle and Charles E. Snyder are the committee.

ELECTION OF OFFICERS.

Mr. Ruttenber proposed that all the officers of the Society be re-elected.

President Coleman wanted to be relieved of the duties of his office, and Mr. Esmond had announced by letter that such was also his wish.

The following were appointed a committee on nominations: Col. Weygant, Mr. Belknap and the Rev. Mr. Carlisle. They retired and soon returned, reporting that they recommended the re-election of the present officers, and that Dr. John Deyo, James Harrison and the Rev. John Marshall Chew be

chosen to fill the vacancies in the Board of Trustees. The report was accepted and adopted, and on further motion the officers were re-elected by the casting of a single ballot by the Secretary. The following are the officers of the Society:

President—Roswell C. Coleman.

First Vice-President—James N. Dickey.

Second Vice-President—Hon. Walter C. Anthony.

Third Vice-President—David A. Morrison.

Fourth Vice-President—Miss Adelaide Skeel.

Recording Secretary—Frank S. Hull.

Corresponding Secretary—W. Cook Belknap.

Treasurer—J. N. Weed.

Librarian—Miss Lillie O. Estabrook.

Trustees—Rev. J. W. F. Carlisle, E. M. Ruttenber, Hiram Lozier, Col. Chas. H. Weygant, David Barclay, Dr. John Deyo, James Harrison and Rev. John Marshall Chew.

The Publication Committee reported that the papers read during the past year had been prepared for publication, which would appear in the near future.

On motion, Mr. Ruttenber was authorized to procure cases as needed for the safe keeping of the Society's papers in the public library.

Adjourned.

Vail's Gate Fifty Years Ago.

BY REV. FRANCIS WASHBURN.

READ BEFORE THE HISTORICAL SOCIETY OF NEWBURGH BAY AND THE HIGHLANDS,
WEDNESDAY EVENING, NOVEMBER 1, 1905.

Venerable Members of the Historical Society of Newburgh Bay and the Highlands: Having been invited to open the season with the product of my pen, if not of my brain, I have prepared this, whatever it may be. I am not, as some of you are, acquainted with the history of the savages who once paddled their canoes to yonder Fishkill shore, and hunted the deer and other species of wild game in the forest that densely shaded the now well cultivated fields of the industrious farmers of to-day, and scalped their captives taken in war, perchance, where now some of our members proclaim the gospel of peace and good will: nor am I acquainted with the local history of the Revolutionary period, though in my early life I drank in knowledge at those seats of learning situated at Balmville, Montgomery, Middletown and Vail's Gate, where sat Staples, Hunter and Campbell, still with a thirst, however, that was not very keen.

I remember but little about the persons and events connected with my youthful days that would entertain you or be of service to future members of this Society. One of your number who has been called the Pope of this Society has suggested that I give you a paper containing my recollections of Vail's Gate, possibly imagining that they reached back to the earliest time, the times revolutionary. He evidently judged by the lines of care upon my forehead and the locks prematurely whitened by trying in a brief ministry to make other people better than myself, that my age must be as great as his own. He is mistaken, for but sixty summers have come and gone since out of the great unknown I came into this greater unknown and traveled toward the greatest unknown not yet reached.

I do recall a few persons who dwelt near the toll gate at the intersection of the road to Central Valley and the road to Salisbury. I recall the tall form of Mr. John D. Vail, owner then of the lumber yard just beyond the Gate, between it and the district school house. The Stills, further up the Salisbury road, one of whom, John K., was a Methodist local preacher, all of whom, three in number, were known to me as earnest and devout Methodists. I also recall Pike, who guarded the gate for Mr. Vail, who was the roadmaster and took the pennies of the passing travelers. I recall him as an industrious and disputative person, always ready to crack a joke at my expense or raise a religious argument with my father. He was the parent

of one child, a boy, and the husband of one wife, a nervous person who was constantly calling out to her solitary boy to stop making noises offensive to her nerves.

It was Pike's boy who told me just after we had moved into the parsonage that the last dominie had planted oranges in the garden, which I, to my disgust, afterward discovered were ordinary onions. I can recall the fact that the Mortons lived at the time, 1855, in the old house a mile east of the gate, the Ellison house. This was called Mortonville, where I used to be sent to get letters and papers frequently after the day's close when the solemn night was descending and the whippoorwill was beginning her plaintive and lonesome cry. It was, I remember, a journey of terror, rather than pleasure, for the graveyard was to be passed, toward which I feared to look lest I should see some terrifying ghost. In that and other graveyards some are now sleeping, who were living then, their last sleep. The most of those I knew as elder denizens of the vicinage of the Gate in those, my boyhood days, and there, too, sleep their last sleep some of those who were my companions and playmates. If you would get some knowledge of the past of any place, enter its cemeteries and pass between its gravestones and decipher, if you can, the inscriptions carved thereon. The same old church building stands in the midst of the graves as stood there when I was a child of eleven years, and when its sheeted dead arise God grant that it still may stand, a symbol of the faith in which so many of them died.

It is better thus to sleep in some churchyard, in humble grave, than in these modern cemeteries, though monuments stand over your dust raised by affluence where no sacred house of worship for the living stands. The old school house at Vail's Gate is removed from its ancient site and is now a humble dwelling place. It was in that school house that I studied Smith's grammar, Mitchell's geography, Thompson's arithmetic, Comstock's natural philosophy, and read out of Sander's fourth reader, which enabled me to enter the preparatory class prior to entering Manhattan College, and all this at twelve years. Yet my folks thought that I was a backward scholar, and I was always clothed with humility as with a mourning robe, as I was an omnivorous reader of tales of adventure, especially those concerning the Indians. About this time Scott's stories fell into my hands, lent to my sisters by the sister of General Morton. They were bound in morocco and gilt and were handled with great care, yet as careful as I was a great catastrophe happened, for on taking several of them home on one occasion I must, boy like, go on horseback, and so getting Nellie out of the stable and mounting her back started away. She went like a shot out of a gun and nearing the gate, just in fun she suddenly shied, throwing my bundle of books, all gilt and morocco and satin paper, the property of the elegant people who resided in the castle, of whom I was awfully afraid, into a muddy pool that lay in the middle of the road. Do you ask me if I was scared? Yes, to be sure. I got down off the back of that bounding nag in a minute, in the twinkling of

an eye, and picked up those books bound in morocco and gilt with the name of the great General Morton inside, and wept over them and rubbed them assiduously with the sleeve of my coat and repeated my evening prayer over them: "Now I lay me down to sleep"; and regaining something of my normal courage, without remounting and leading my horse, approached the castle entrance and asked for Auntie Bogart. She came, she looked, she calmed my troubled fears with a few consolatory words, but if I remember rightly no more books from Castle Morton ever passed through my hands.

Possibly I have made a mountain out of a mole hill, but life is chiefly made up of magnified mole hills. Let us go back to the school house. Not far away from it lived the Manys. I remember the two boys, or young men, William and Sidney, who were millwrights. They were very pleasant people. It was in their shop that I was permitted to handle-edged tools, and I bear the signs yet of the edge of one of them. One of the boys was very good looking and on Sundays I used to gaze at his face and form with great admiration. He is still alive and to look at him to-day you would not think that he bears a greater burden of years than do I. A short distance from the Gate, on the Central Valley road, lived a gentleman by the name of Sands. I well recall his visit to the school house one morning and the result of the interview with my sister, at that time the teacher. He desired to send his daughter there to be taught and probably wished to ascertain something of the nature of the teacher and the character of the school.

I was over to the Gate the other day and saw that no great changes have been made in its appearance. The triangle looks precisely as it did when the McKinneys kept the tavern there. One Anthony Vail, son of Mr. Vail, the lumberman, ran this place as a grocery store and post-office. I said one Anthony Vail, not intending, however, to convey the idea that there were two Anthony Vails, for there could not be two. The world could not have held two Anthony Vails; it isn't large enough. Not that Anthony had a swelled head. It is only little insignificant fellows that are troubled with cranial inflation, and Anthony was nearly as big around as the Balmville tree. He resembled Shakespeare's Falstaff, only he was whiskerless. He was full of good nature and lived to a fair age when he went to join the cherubs up above. Anthony was not otherwise but in size a singular person, being well endowed with common sense. His sister, Mrs. Potter, was a woman of fine character and appearance; a close friend of my sister Martha. But there were a few persons in the neighborhood whose peculiarities were calculated to excite amusement. One of these was a maidenly lady who lived part of the time alone, frequently going around on a sort of visitation, expecting entertainment when she called. Judged by her uncleanly appearance, her devout manner and her expression of praise, she was a saint. If she was a sort of nuisance in the estimation of the older people, she certainly furnished great fun for the children. She had a habit of glorifying God loudly and suddenly, too, when anything was given her to eat. Glory, glory, glory! were

the words she always sounded, each one higher than the other, a sort of gloria in excelsis, which we children acquired the habit of imitating with more or less accuracy when very hilarious or even when in sudden peril. I remember that my brother was once discovered stealing apples in the cellar, having while leaning over the barrel that contained them, in some way got inextricably fast, and not realizing the full danger, shouted with all the power of his anything but weak voice these pious words. Like many other saints in the calendar he got in greater trouble through his apparent piety, for mother, alarmed both for her apples and her boy, appeared upon the scene and applied, no doubt with vigor, a regenerating and sanctifying lotion first before rescuing him from the barrel. Another person in that community who used to afford us a great deal of entertainment was the sexton of the church. He was no fool, but he was a joker who did not know when he was joking. Whenever I have had the pleasure of witnessing the grave scene in Hamlet, the characters that have usually taken the part of the grave digger have brought this man before me. He was a great example of righteousness, withal, and could exhort with intense fervor at times, though his mistakes were often ludicrous and his quaintness was certainly attractive.

I recall the Cloyds, and Davies, and Dickinsons, and Brundages. One of the Cloyds afterward became a partner of Judge Birdseye in the City of New York. The road is now a State road that then passed through the Gate, and was put through about 1801. It was not yet built when the camp fires of the soldiers burned below and around Temple Hill. It is not improbable that the road that now runs from Newburgh to Central Valley was then existing, and that by it the troops were marched from the vicinity of Vail's Gate through the Central Valley and the Ramapo hill to the south and back as the exigencies of the war demanded. The old parsonage where we dwelt and the old barn still stands. Mr father's occupation was that of preaching, and it was my delight to go with him around his circuit. He always had such fine entertainment where he went, and I, as a minister's boy, shared in the hospitalities which the Frenches of Little Britain and the Oakleys of Salisbury always gave him. He was a rousing preacher in his time and many a family throughout that section owe to-day much to his earnestness and fervor. His preaching stations were Highland Mills, Canterbury, Vail's Gate, Little Britain, and Salisbury. With a single exception, that of Little Britain, these churches still exist. But Little Britain Methodism has been swallowed up by Presbyterianism.

On the roadside opposite the church at Vail's Gate, lies a large stone dropped there in the days of the Pre-Adamite, when the heavens used to rain globules composed of soft material which afterwards solidified into rock and which while in its plastic condition was stepped upon by the giant men of those days whose stride measured just seven leagues. I used to look at that foot print in the rock with childish awe and marvel about the past of which preacher in the pulpit or teacher at the school, knew just as little as I

—just nothing at all. We think we are advanced in knowledge and attainment on this whirling globe when it may be back somewhere in the infinite reaches of the past, worlds existed whose inhabitants knew vastly more than we of this to-day. Certainly they had bigger feet.

Some of you may remember the old stone house located a little way from the Gate and recognize it as the residence of one Edmonston, who came originally from Enniskellen, County Tyrone, Ireland.* I knew it as the abode of a singular and uncanny old bachelor, who lived alone, having few if any associations with the people of the neighborhood. A number of stories about his unnatural ways were whispered about among the boys, but we never in any way molested him. The house has other occupants to-day, one of whom is daily engaged in distributing milk in this city. It is said that General Washington stopped here and requested William Edmonston to accompany him and Colonel Pickering to locate a fit place for the encampment of his army. This he did, leading them by an Indian trail about three miles further north to a place which is now called the Square. For years this house stood solitary in the forests thereabout, approached by a simple wood path from the narrow road, passing half mile away. For a while it was the headquarters of Generals Gates and St. Clair. Indians must have still frequented these parts and we are told by Eager and Ruttenber that their huts or houses stood by the side of a small stream, traces of which are now hardly discernable, flowing past the house a hundred feet west of it. When we travel on the other side of the Atlantic we see the ruins of abbeys and castles, picturesque and stately even in decay, but in this land we see only these humble old houses with perhaps an occasional mansion of some younger son of an English gentleman or some expatriated Huguenot, or the dwelling place, very primitive and very clean, of some honest Dutchman of whom we are prouder than the people abroad can be of the former occupants of their ancient ruins, for these our ancestors were not despots or slaves themselves, though it is true that they owned slaves, some of them white slaves. They emancipated these colonies, but they did not free their laborers, white and black, hereabout until 1809. I can remember when I was a child seeing negroes working on Daniel Deyo's farm at Balmville, who had, it was said, once been bondsmen.

From what I have read about those early settlers I judge that they had meagre imaginations, and very little cash. Certain I am that they builded

* Vail's Gate was known, in Colonial days, as "Edmonston's," from James Edmonston, who is said to have located here in 1727, and who was certainly here in 1738, as his name appears on the military roll of that year. His old stone house, now of historic interest, was built in 1754. His son, William, occupied it during the Revolution, and conducted a tavern. The Medical Staff, of the army of the Revolution, is said to have had headquarters here in 1782-3. Sometime about 1850, Capt. Chas. F. Morton succeeded in having the name of the post-office changed to "Mortonville," but it did not remain under that name for any considerable number of years.—EDITOR.

neither poems nor castles, yet what an inspiring country they lived in. If they had ears for bird music the woods were full of it. If they had eyes for beautiful scenery, to the right of them, to the left of them, in front of them, and behind them, were rivulets and rivers, hills, valleys and mountains. How did they pass the hours away? On Sundays they sat in their houses and read their Bibles; or in their small meeting houses listening to the long preachments of their elders or dominies, perhaps better occupation than ball playing or automobiling, and on Mondays in the woods which rang from early morning until sundown with their chop, chop, chop. One could have seen here and there rising from the opening the smoke of burning stumps and wood debris, or have seen them ploughing or attempting to plough the ground. There were few if any Byrons or Bryants amongst them. Not theirs,

"To sit on rocks and muse o'er flood and field,
Or trace the forest shady scene."

—Bryant.

Not theirs

"To list to nature's teaching."

—Bryant.

Not theirs

"To hold

Converse with nature's charms and view her stores unrolled."

—Byron.

Not their's to even see
The vision of this date;
This empire of the free,
This more than regal State,
This destiny of man
That now confronts the world.

The church is near what was known in my day as Mortonville. It is an old but not an ancient structure. In it worships one of the oldest Methodist societies in the county, having been founded as the John Ellison Class in 1789. Not long ago I stood in the old pulpit. It was a sad occasion, before me lay in coffin the form of an old playmate, Willie Vail. When I first knew him he was a pretty boy, visiting at his uncle Vail's. When I last saw him before his death, he was a man full of years and cares. For a while, forty years before, he and I marched and camped together as soldiers. I do not know the neighborhood now; it may be that there are good pious people dwelling there, but I see no such faces as those of that day touched by the finger of God. Yea, I do not see them anywhere. A child's eyes are not the eyes of a man, and it was a child's eyes that I then beheld God's holy ones whose faces shone transfigured with that light which comes from faith and the promises of God and lives uncontaminated by sin. The sound of the voices raised in the old time country prayer meetings was pure; there was no conscious alloy in those good souls of viciousness or skepticism. They

might not sing in tune by earthly standards judged, but they did sing in tune with the angels with whom, if their belief was correct, they have been chanting this many a year. I can see in my memory the faces and figures of quite a number who lived in those days, half a century ago. I can see going away from the service the dear, pleasant faced, dignified Auntie Bogart, then nearly eighty-six years of age. I can see the congregation and recall those who sat in the pews around me, especially the service where Henry Cornell spoke, he who lived in the large house with the immense iron gates in front of it, on the back road to Newburgh. I was proud of my father because he knew so rich a man and could secure his presence in our country church. He and others from Newburgh were there; Newburgh, that great city, the greatest city I had ever seen, to which father occasionally took me, on one occasion to attend the sessions of the New York Conference, presided over by Bishop Osman C. Baker. Oh, those were days of great revelation; yet days of greater ones were near at hand, for father was very shortly afterwards sent to Harlem, then a suburb of the metropolis of New York, now a mastodon (I mean New York) too large altogether for the pigmies that inhabit it.

Let us enter God's acre at Vail's Gate:

"Vain men how vanishing a bliss we crave.

Now warm in love, now withering in the grave."

—Dryden.

We shall have the usual difficulties in deciphering what is engraved on the slabs and monuments and in walking about without desecrating the graves by treading upon them, vines and other impediments rendering walking difficult. Like most ancient burial places it bears evidence of neglect. Whatever the state of the souls of the departed may be their bodies are waiting the resurrection in most neglected ground. But who is this I see standing before us clothed in the ragged remnant of what was once a shroud. "I am," he tells us, "the original Edmonston, who first settled in these parts. I am buried elsewhere. You cannot find my grave here. Like you, I have come, curious to know something about those who have lived and died since my day, and to note what changes have been made." "And who are you?" he asks us. "We are representatives of the Historical Society of the Highlands." "Are you? Then you can tell me somewhat of the history of the years that have come and gone since I have departed." "No, we cannot, we are entirely engaged in the discovery and delineation of the facts of colonial and revolutionary times." "Yes; well, I have heard that the moderns instead of interesting themselves in the virtues and vices of their contemporaries, are engaged chiefly if not solely in subjecting us of the past to their heartless scrutiny. Now do you think that this sort of business can go on over our graves and we be not disturbed in our peaceful slumbers? We give you no thanks; we care not for your praise or blame; kindly go away, put up your pencils and pads and go away. But what is your companion engaged in doing? Oh, I see, he is copying the verses inscribed on some of these grave

stones. Let me look at your paper, my friend; I should like to know what these dead ones left behind on earth wrote upon their tombstones:

'Affliction sore a long time I bore,
Physician's aid was in vain,
'Till God was pleased to give me ease,
And free me from all pain.'

"Yes, that was true; physician's aid was vain. James Odell's heirs probably paid for that not vainless aid. What? Here is another stroke at those old-fashioned doctors; my, how they used to dose us! I can even yet taste the bitter stuff that accelerated my exit:

'Friends and physicians could not save
This mortal from the grave.'

"Sad thought that there is a remote possibility that they did not think it worth their while to try. I am glad to see that one Susan Jones has told you, the unpleasant fact that you are not going to walk over the prostrate forms of the dead without hearing a piece of her mind. She gives you a timely warning:

'Behold and see as you pass by,
As you are now, so once was I,
As I am now you soon must be;
Prepare for death and follow me.'

"Lay that to heart, my friends, and be careful what you say about those who seem to be nothing but helpless dust. Beware! I shall see you soon again," and so he vanished. My friend, affrighted, handed his pad and pencil back to me and saying that he was hungry left the melancholy place. I had already put down the names of a few of the old timers who had tilled the soil and obeyed the command which Roosevelt, a good authority, asserts is too largely forgotten by Americans.

Although I found no soldiers of the Revolutionary War buried here, I did find soldiers of the army of the United States of a later date interred. I will read their names: Major-General Morton and his wife, who was an Ellison,* are inscribed on the monument in the Morton plot, but I am informed by one of the family that General Morton's remains are interred in New York; Captain Charles F. Morton. Major George C. Morton, also

* "Major-General Morton," so remembered by Mr. Washburn, was Captain Charles F. Morton, who attained that rank in the U. S. Army in the war of 1812. His wife was Henrietta, daughter of William Ellison. He occupied the Ellison house, known as "Knox's Headquarter's," for several years. Charles Ellison Morton was Captain in the 7th N. Y. S. V. Cavalry, and died in service. George Clarke Morton was Captain in the 5th N. Y. S. V. Two other brothers were in the volunteer service, 1861-5.—EDITOR.

Charles F. McCormack, of Company 1, 168th Regiment Volunteers; John S. Tompkins, First Lieut. 56th N. Y. Vols., and an old schoolmate, Wilbur Still, soldiers of the Civil War. I also found here the graves of a number of those who were living when I was a lad, namely, Thomas and Jane Still, and Wesley and Sarah Jane Still, Rev. John K. Still and Jane Eliza Still, all of whom lived an average of eighty years. Gilbert Tompkins, born in 1790, died 1880. James S. Vail, born 1818, died 1880. Elizabeth Edmonston, born 1799, died 1871. Walter Edmonston, born 1799, died 1863. Barnabas Many, born 1791, died 1860. Sarah C. Folandandre, his wife. I took note of the names of a few whose childhood was lived in the days of the Revolution, namely, Mrs. Margaret Bogart, born March, 1772, dying Sept. 9, 1858. Mr. Samuel McCoun, who was born 1748, dying in 1826. It is quite possible he was a soldier in the days that tried men's soles as well as their uppers.* Another stone records the death of Phebe Andres, who died in 1828, aged 73 years. It may be she had passed her early married life in this vicinity and been subjected to some military experiences. I did not find the grave of John Ellison, one of those good Church of England men who, converted, it may be, under the preaching of Wesley or Whitefield, brought with him his religious devotion and called together his neighbors and friends to hold with them sweet counsel, and who gave the site and timber for the erection of the first house of worship which, replaced by the present one, I believe still stands near the old mill where he had ground the flour for the neighboring farmers. He has a monument to his love of Christ and humanity in this plain old meeting house with its encirclement of marble pillars and magnificent trees. How beautiful on earth are those ancient meeting places of the Lord's elect, built in an age of strenuous activity and piety when the men who conquered a continent were not ashamed of Jesus, that dear friend. They stormed the forests and laid them low; they ploughed the stumpy and rocky soil and cut down and barned the sparse results; they encountered the wild beasts and savages, yet they quailed not nor retreated; where they had planted their feet they stayed. Small though the fruit of their efforts might be, yet they gave God the praise and clung closer to Christ. They were not like many of those who have succeeded them and reap the unembarrassed fields of this our day, who neither reverence their ancestors nor their God.

As I turned to walk away I recalled the words of the soul who had interviewed me in the graveyard, and I resolved to address a few of them to you, on a subject suggested by what he had said. When a person of the dead past thus speaks to you and me, he wishes to learn from us the news since he departed. He does not care to have us tell him what was going on when he lived; he can remember that perhaps all too well. It depends somewhat of

* Samuel McCoun was an honored resident at Vail's Gate. He was one of the directors of the Newburgh and Cohecton Turnpike in 1801. His grandson, Henry T. McCoun, projected and opened that part of the city of Newburgh known as Washington Heights.—EDITOR.

course from what part of the other sphere he hails from. If the personage who appeared before me in the graveyard were a real representative of the colonies, I seriously believe that he would object to much that is written in these days and stored away in the archivial vaults of the Historical Society. Especially would he object to those miscalled true histories of Washington, Franklin and others of his contemporaries. Indeed some of the motives ascribed to the early invaders and revolutionists would arouse his ire. If the truth about us were told with the particularity of detail it is told of the fathers, we would hide away in the waves and call upon them to cover us from the eyes of men. There was scalping enough done by the savages.

Our forefathers heard when living many pungent and truthful remarks from their lips. Here is a sample dose that the proud De Soto received from an Indian chief: "Your accursed race has poisoned our peaceful shores. You wander about from land to land to rob the poor, to betray the confiding, to murder in cold blood the defenceless."

What do Historical Societies exist for? Simply to preserve antiquities, rejuvenate them in the composition of documents full of recapitulations, unchanged in essence but transposed in words. And what by them is taken for antiquity and raked and reraked over ad infinitum. In England antiquity extends from the times of, let us say Queen Boadicea, to the Norman invasion; in Egypt back to the most remote ages down to the days of the Shepherd Kings; in Greece to the times of Homer; in Rome to the days of Romulus, to the time when pagan Rome expired. The antiquarian spirit never wrote the history of any great peoples. It, when possessed, hovers only over ruins and relics and left overs. An antiquarian pores over a faded script, a rusty spear head, an earth-covered fragment of a supposed fortress. It writes reams of foolscap over the doubtful traces of the footsteps of a buried and extinct people. You shall see an American antiquarian pause beside some tombstone of tumulus seeking to decipher its time-obliterated inscription or lay open its decayed contents for inspection. With a few fragments he will construct a palace, a temple, or a fortress, or a civilization, forgetting that to an antiquarian of Europe, he is as vulgar as the person is who stands to-day beside the Flat-iron Building on New York, paralyzed with astonishment. It is a mistake, I think, to permit the antiquarian spirit to dominate, and thus limit the scope of our activity to colonial and pre-colonial times; the clock of our times did not stop when George Washington breathed his last, in the bedroom at Mount Vernon. History has been making on this continent ever since, and Historical Societies should keep a record of its march. As proof of this, let me cite the ancients themselves. They have not left us the history antecedent to themselves alone, but of the times contemporaneous with themselves. So was it to the great men of colonial times. We can trace the evolution of these States from the earliest European invasion down to the formation of the Federal Union, from writers who wrote about the affairs coincident with themselves.

A century or two beyond these years and our age will be among the antiquities, and our historical societies' archives will be empty of any material, worth a denarius, for the antiquaries of that epoch, unless we now come out of the dead seas and swim the stream of living waters. I anticipate that some of the younger generation will venture to show in the future that the principles of evolution have worked in American history as well as European; and that America has not remained a political specimen of arrested development or a beautiful colonial mummy.

Though as a mummy Cleopatra may survive,
Columbia, to us, is very much alive.

The thanks of the Society were voted to Mr. Washburn for his interesting sketch of a portion of our local history, and the paper directed to be printed in the Society's "Historical Papers."

Cochecton.

ITS LOCATION AND HISTORY—THE COCHECTON TURNPIKE—THE TREATY OF
1744-5.

Read before the Historical Society, December 6, 1905, by
E. M. RUTTENBER.

Mr. President, Ladies and Gentlemen:

I am before you to-night again in the capacity of a substitute. Members of the Society who had promised to prepare papers were not ready when inquired of by President Coleman. Their promises will probably be redeemed later. Almost at the last hour President Coleman sent me notice that I must fill the vacancy. With such material as I could readily command, I have written something about Cochecton, hoping to be able to interest you. I will try not to weary you, and I trust that I shall not again feel obliged to ask your indulgence.

If there is one Indian name more than Minisink and Wawayanda that has been made familiar to the people of Orange County, and especially to the people of Newburgh and to residents along the line of the old Newburgh and Cochecton Turnpike, it is that of Cochecton. It is a name with a history, of a town and of a village in Sullivan County, primarily that of what is now the village of Cochecton by old surveys described as a flat and located on the northeast side of the Delaware River, "twenty-two miles in a straight line from the mouth of Maghaghkamik Creek," now Carpenter's Point, in the Town of Deerpark, Orange County. The original orthography of the name was "K'schiechton," a verbal meaning "to wash," "the act of washing" as by the "overflow of the water of a sea or river." * * "the river washed a valley in the plain," with occasionally the suffix *unk*, denoting a place where the action of the verb was performed, *i. e.* a place where at times the land is washed or overflowed by water, from which the traditionary interpretation "Low Lands," or as the late Judge John C. Curtis wrote: "Our Beautiful Valley, from Cochecton Falls to the mouth of the Callicoon, was called by the Indians, Cushetunk, or low lands." The waters of the Delaware, in freshet seasons, are here thrown back by the narrow gorge and rapids called Cochecton Falls, and the sediment brought down was, and still is, to a considerable extent, deposited on the flats above.

The place was known particularly as the head of navigation for the old flat-boats on the Delaware, and hence a point at which goods and products were transhipped, and as the northeastern gate of the Wyoming Valley. The

first wagon-road that crossed the Moosic Mountains ran from Cochecton to the Wyoming settlement. At Cochecton it was proposed to erect a fort from which were to be attacked, in their rendezvous, the "Great Swamp,"* west of the mountains, the Delaware Indians under Shingask in the war of 1754-6, and from which his warriors sallied forth and devastated northeastern Pennsylvania and western Orange, the latter especially because they had been made drunk and in that condition had been defrauded of payment for their lands in the Minisinks, and where Tedyuscung, king of the Delawares, spoke "with a loud voice" to the Lenape nation, so loud indeed, that the ears of Sir William Johnson, glued though they were to Mohawk interests, lifted up his eyes and asked, "Who is this king of the Delawares," whose voice I hear in the wilderness, whose warriors, with blazing torch and branding tomahawk, are devastating our plantations and driving our people to find safety on the east side of the Wallkill? He met Tedyuscung in council and yielded to his every demand. It was little that he asked—simply justice for his people. As against the land-grabbers and grafters of his times it was much to grant.

It was the facts of the location and its commercial importance that led the then active business men of Newburgh to project in 1801 and in the main complete later the Newburgh and Cochecton Turnpike, with Cochecton as its objective point, the act of incorporation reading, on "the nearest, most convenient, and direct route, from the village of Newburgh, on Hudson's River, to Cochecton, on the Delaware River." The road was sixty miles in length and ran mainly directly west. At Cochecton it was joined, in 1810, by a turnpike road to Oxford, Chenango County; later, by a road to Ithaca; then by steamer across Cayuga Lake to Geneva, and then to Buffalo. The route thus established was claimed in advertisements to be "the shortest and most expeditious route from the Hudson river to the western country," and the time given as "sixty-five hours from New York to Buffalo, via Newburgh." The travel fell off and with it the transit of freight on the opening of the Erie Canal and the Central Railroad, and later the New York and Erie. There are still persons living who remember the old stage coaches and the long lines of farmers' and freighters' teams which passed over at least a part of the route to Newburgh until late in the '40's. The road opened a vast territory to settlement, and poured a flood of wealth upon the inchoate city. They wrote over its name "Western Avenue," an appropriate name, a grand name, a name that meant something, but which our Common Council, ignorant of its associations—unmindful of the obligation resting upon them to preserve historic landmarks—caught by the sound of a name that it was thought would confer some dignity, changed it to "Broadway," a very cheap and common appellative. Compared with Western Avenue, it lacks history and dignity,

*"Great Swamp" was distant about forty miles west-south-west from Cochecton. Those who desire to learn something more about it may consult Doc. Hist. N. Y., vol. ii, page 715.

and reminds one of the ancient hymn that old people sang to "Windham," in doleful minor and with more or less of nasal tone—

"Broad is the road that leads to death."

The turnpike was a great work for the times in which it was cut through the woods and carried by bridges over streams. It was a rough road, up hill and down, with occasional stretches of corduroy on the marshy low lands and many stones on the uplands, and long sections of forest in which the rumble of wagons alone disturbed the echoes of the dreary woods; a pioneer road, the first running west from the Hudson, blazing the pathway for the march of Empire. Its history stands to all who will read it as a monument to the memory of its projectors, and "as a pillar of cloud by day, and pillar of fire by night" in their example for all times—a recognition of opportunities and a will to seize them. If a community would prosper, it must open the avenues of trade. Turnpikes served that purpose in their day. To-day the "trolley" roads more than quadruple their advantages. The projector of the Cochecton Turnpike, John DeWitt, had not trade in view. He was not related in any way to John Peter DeWint of Fishkill, as some have supposed. He was a member of Assembly from Dutchess County, and, for speculative purposes, bought a large block of the Hardenberg patent. He wanted to open those lands for settlement. He went to old "Colonial" Kingston to induce its capitalists to build a turnpike west. They were very "sleepy." He came to Newburgh and found men who had already shared in the traffic of the immediate western country and knew its prospective value. They readily accepted his proposition and organized a company with himself at its head. He gave his life to the work; his dust reposes in our old St. George's Cemetery in Old Town. There also reposes the dust of his associates, Hugh Walsh and Levi Dodge. Nearby in an unmarked grave is the dust of William Seymour; Jacob Powell reposes in the new St. George's Cemetery; Johannes Miller and John McAuley rest in Montgomery; Samuel McCoun at Vail's Gate, and William W. Sackett in Sullivan County; but the development which they gave to the community and to the then West, lives and in it their works do follow them—themselves only remembered by what they did.

Long before Cochecton became famous in connection with Newburgh, it had been made historic by what is known as "The Treaty of Easton," in 1758, under which it was made the northwest bound-mark of the lands claimed by the Minsi-Lenape and conveyed by them thereby to New Jersey, described as "beginning at the station point between the Province of New Jersey and New York, at the most northerly end of an Indian settlement on the Delaware, known by the name of Casheitong." The place, Station Point, called also Station Rock, is about three miles southeast of the present village of Cochecton, on the flat at a bend in the river. Not only was it the place of beginning

but it was the boundmark of the three states, New York, Pennsylvania, and New Jersey—the historic “41 degrees and 40 minutes north latitude,” from which the line ran southeast to the “lower Yonker’s Mills,” and which, if it had been perpetuated, would have thrown southwestern Orange County into New Jersey.

Prior to all this, the pioneers of Western Orange County were made familiar with Cochecton by the removal thither from the vicinity of Goshen of a number of families of the Minsi or Wolf tribe, and of the Unalachtigo or Turkey tribe, of the Lenape or Delaware Indians. The families had become alarmed by the continued carrying of guns by their white neighbors and removed “to their hunting houses” at Cochecton. The people of Goshen did not want to lose them. They brought in furs and game, and no doubt consumed no small quantity of Goshen fire-water, and so it came about that a delegation went out to Cochecton to have explained the cause of the removal. A late paper by David Barclay tells the story of this visit and its conclusion by a treaty consummated at Goshen, accompanied by the “peculiar locking of arms” which was customary among the Indians and known to Europeans as the “Covenant Chain.” For the purpose of preserving Mr. Barclay’s narrative it is reproduced:

“It was an important and no doubt picturesque ceremony that the inhabitants of the village of Goshen witnessed on January 3d, in the year 1745. In the morning of that day, there came marching through the street a band of Indians arrayed in savage bravery. Their arrival had been looked for, and it must have been at once apparent that they were expected visitors, and no ordinary troop of red men coming in to barter or trade. In numbers there were about a dozen, all chief men we are told, led by a Sachem, whom they had recently chosen. They came as accredited agents of two tribes who used for totems the sign of the Minsi or Wolf, and the Un-alacht-go or Turkey, respectively, and hence were known among white men as the Wolves and Turkeys. Sometimes they were called the Cashington Indians, and their principal lodges were located at or near where now stands the village of Cochecton in Sullivan County. They formed a part of the great Lenni Lenape or Delaware confederacy, once so powerful and widely distributed, but at this time considerably reduced both in numbers and influence. With the rest of their nation, these tribes had long been faithful allies of the colonists, and from time immemorial had used the western portion of Orange County as a hunting ground. Recently, however, they had exhibited signs of distrust, and retired to their lodges on the upper Delaware River. The colonists were much concerned over this action, for the withdrawal of their former allies left the outlying settlements on the frontiers of Orange and Ulster counties exposed to attack from hostile savages under the influence of the French.

“The feeling of apprehension was intensified by a report that the

French Indians had lately made an unusually large number of snow shoes; an indication that they were preparing for a Winter campaign. The attention of the Colonial Government having been called to the matter, it was decided to send Colonel DeKay and a party to visit the Indians, and endeavor to again establish friendly relations and induce them, if possible, to return to their old hunting ground in Orange County. Those selected for the expedition were Colonel Thomas DeKay, Major Swartout, Ensign Coleman, Adam Wisener, who acted as interpreter, Benjamin Thompson, and two Minsink Indians for guides. An old manuscript, verified by the Colonel, in the State Library at Albany, contains the only account that has been preserved of the finding of the Indians, the arrangement made to meet at Goshen, and a description of the ceremonies that took place there. No allusion is made in the document to the hardships which must have been endured in that Winter march through the wilderness in search of the Indians, though it is evident that the savages themselves, when found, hesitated to undertake the return journey in weather which is described as severe. The natives on being questioned as to the reason for their withdrawal, declared that they were afraid of the people of Orange County, because they were always under arms. It was then explained to them, that the colonists were so frequently in arms by direction of the Governor, in order that they should be ready to defend themselves against the French, and their allies. The Indians, it is stated, thereupon rejoiced, being convinced that there was no intention of attacking them. As to the report which had come in, of snow shoes prepared by the enemy, they said that they had not heard of any unusual number being made lately, though the French Indians always had large quantities in store. It seems that information about the making of snow shoes had been brought to Major Swartout by one of these Indians, and that an effort was made to find and question him, but he was not in the camp.

"The savages explained to the visitors that they consisted of two tribes, viz: the Wolves and Turkeys. That they had recently lost their Sachem, and were then engaged in debating among themselves out of which tribe a Sachem should be chosen to govern the whole. After that was successfully accomplished they promised to send representatives into Orange County, on New Year's day, if the weather permitted their traveling. It was in accordance with this arrangement that the delegation arrived at Goshen on January 3, 1745.

"Whereabout in the village the subsequent ceremonies took place is not known. But the manuscript describes the weather as 'still continuing severe,' and so it is probable that the negotiations were held indoors, perhaps in the rude court house which had been erected not very long before. The Indians, through their spokesman, said they had come, bringing a Belt of Wampum, in order to renew their friendship and

brotherhood, and requested the inhabitants to appoint some one to enact with them the ceremony of the Covenant Chain. Colonel DeKay, who was present to receive them, said that the Governor alone had power to make such an appointment, and as they did not have time to communicate with his Excellency, he thought it best for the Indians themselves to name a person for the purpose. This was agreed to, the savages selecting the Colonel to take part with them in the ceremony, and he was then chained to them for an hour or more, as a token of their being united again in the bonds of friendship. It is to be regretted that no detailed description of the proceedings remains to us. However, it appears that speeches were made by the Indians, as was their custom upon such occasions. They solemnly pledged themselves to be true to their allies, 'as long as sun and moon endured,' and promised if they heard of any plots against the English that they would at once send in runners with the news. They also agreed to join in fighting against the enemy, and requested that they be assisted, if attacked by the French, which was accordingly promised.

"These matters having been disposed of, and while the Colonel was still chained to them, the Indians delivered to him a Belt of Wampum to be sent to the Governor. In presenting it, they declared that this belt was their bond and writing, renewing their former friendship and brotherhood. Whereupon, the manuscript states, they 'again rejoiced with three Huzzas and departed very much pleased.' The settlers, too, must have been well pleased with the result of the compact thus completed. For them it meant freedom to till the fields, and pursue their vocations with security, knowing that in the silent forests were keen-eyed red men, ever watchful in guarding against the approach of marauding savages, the enemies of both. To the Wolves and Turkeys, it proved the sincerity of the colonists, whose friendship they had lately doubted, and assured them of aid if molested by the French. A defensive alliance, affording protection to each.

"As to the Belt of Wampum, the books of the Lords of Trade and Plantations in London, show its final disposition. It is there recorded that a fortnight later Colonel DeKay came before the Colonial Council in New York and made a statement of the result of his mission, at the same time presenting to the Council the Belt of Wampum for delivery to the Governor. The Council ordered the Belt sent to the Governor, and recommended that one be given in return to the Indians, with assurance of protection.

"This closed the incident. It was the only occasion on record when the Indian ceremony of the Covenant Chain was performed in what is now the county of Orange, N. Y."

* * * * *

The Cochecton Indians sold their land to Johannes Hardenberg and others

in 1708 and it became part of the famous Hardenberg Patent. They did not remove but remained in possession for many years. In all deeds that the Indians gave the right to hunt and fish was conceded to them. Under this right they removed here from Orange County in 1744, and occupied their old hunting houses. Gradually they followed their kindred to the west, where their descendants became entangled with Brant in the War of the Revolution and probably formed part of his band of marauders in ravaging Minisink, and scourging the western frontiers. They probably deserved a better fate than that which came to them. They are gone. The long night with its starless robe has enveloped them in its folds—the ceaseless wash of the waters of the Delaware upon the beautiful valley of Cochection, hymns their requiem.

The *Newburgh Journal* of December 7, 1906, remarked:

"Mr. Rutenber read a very interesting and valuable paper on 'Cochection—The Cochection Turnpike—The Treaty of 1744-45.' It was listened to with close attention and the speaker was warmly applauded at the close of the reading. There was applause also when the veteran vocalist, in scoring the Common Council for having changed the significant 'Western Avenue' to the meaningless 'Broadway,' 'struck up' the first line of the hymn, 'Broad is the road that leads to death,' to the old minor tune, 'Windham.' A much larger audience than usual was present. At the conclusion of the reading, Mr. Rutenber was asked to give a copy of the paper to the society for publication and preservation in its archives."

The Ramapo Valley During the American Revolution.

BY J. BOGART SUFFERN.

A paper contributed by the author, and, in his absence, read before the Historical Society by J. Renwick Thompson, Jr., January 3d, 1906.

In order that those unfamiliar with the territory covered by this paper be enlightened, it seems desirable that a short description be given of it.

The upper or northern end of the Ramapo Valley is at the Village of Monroe, in Orange County, New York, the stream bearing that name having its source in a small lake there.

This valley may be divided into two sections of about twenty miles each which will be designated as the upper valley and the lower valley.

About five miles of the upper valley lies between cultivated hills and meadows while the balance is closed in by bold, rugged and wooded hills to Ramapough (now Suffern village), which is on the border line between New York and New Jersey. The general course of this section is about north and south, and is about sixteen miles in a direct line from the west side of the Hudson River. At Ramapough, the valley assumes a different character and direction; the latter bearing a more westerly course as we follow it south to Pompton, N. J. It will be understood that practically nothing to attract attention occurred in the Ramapo Valley nor indeed in the Hudson Valley during the first year of the war.

During that time the attention of both sides was wholly fixed on the east about Boston, and the North covering the campaign against Canada. Naturally the shifting of military operations to the territory of New York and New Jersey changed this and the result of the battle of Long Island and other engagements on New York Island which gave the British full control of that town, forced upon the minds of the American authorities the importance of their cause of holding the passes of the Hudson Highlands. After the indecisive battle of White Plains (though it gave check to the British and ended in their retreat to New York) General Washington accompanied by General Heath and Lord Sterling, Generals James and George Clinton, General Mifflin, and others, made, on the 11th of November, 1776, an examination of points in the vicinity of Fort Montgomery and West Point; some progress had then been made on defences at these points.

At this time a new arrangement was made of the division of the American army. Washington retained one of the divisions under his immediate com-

mand, gave General Charles Lee command of a second, and General Heath was given the command of the third, which was to garrison the different posts in the Highlands. In pursuance of this plan General Heath ordered Cols. Huntington and Tyler with their Pennsylvania regiments to Sidmans bridge on Ramapo River to cover the passes on that side into the Highlands.

This was, probably, the first occupation of any portion of the valley by troops of the main army. This was about November 13, 1776. Here they threw up two lines of earth-works and a small fort, which commanded the bridge across the Ramapo River, was built.

In correspondence of the time these works were variously called "The Post at Ramapough," "The Post at Sidman's Bridge," "The Post in the Clove."

It was about this time, the middle of November, 1776, that Washington with the main army crossed the Hudson at Kings Ferry and took post in rear of the Palisades; making his headquarters at Hackensack, N. J., from which place he was forced to make the famous retreat across New Jersey and the Delaware River. He, Washington, had ordered Lee to follow him, but he delayed to obey until December 1st, when he crossed at Kings Ferry, from whence he marched to Ramapo and thence down the valley to Pompton, where he arrived on the evening of December 7th.

From there he marched to Chatham, which is in the rear of Orange Mountain, and not far from Morristown, and was there captured by the British a few days later.

About the same time, detachments of Gen. Gates' army, who had been opposing Carleton at the North, marched down from Goshen through the Ramapo Valley to Morristown, on their way to join Washington.

While the foregoing was taking place, Gen. Heath, under orders from Washington, crossed the Hudson with the main body of his command and marched by way of Tappan to Hackensack. Considerable bodies of British and Tories being very active in all the territory between Fort Lee and the New York State line, he determined to clear the country of them. Hence ordering Gen. George Clinton, who, with a considerable body of New York troops had arrived at Ramapo, to move to Paramus, and Col. Tyler with his regiment to march to Clarkstown and Nyack to repel raids by the British along the river.

From November, 1776, to midsummer, 1777, the post at Ramapo was occupied by militia of New York State, under the general orders of Gen. George Clinton and the immediate orders at different times of the following, viz: Gen. James Clinton, Col. Hathorn, Colonel Pawling, Col. James McClaghery, Col. Gilbert Cooper, and Col. Aaron Burr.

Meantime, Washington, after the battles of Trenton and Princeton, had remained with his forces at Morristown and in that section until late in June, 1777, watching developments. The expedition of Burgoyne against Al-

bany was then under way, and the movements of Lord Howe at New York were very puzzling.

These conditions caused Washington to leave Morristown and march up the Ramapo Valley to Ramapough, where he arrived on the 10th day of July. On the 11th he marched further up the valley to Southfield, from which point he wrote to Gen. Putnam, then in command at the Hudson Highlands, asking for intelligence of the movements of Howe's forces.

On the 28th of July, Washington had returned to Pompton Plains. At an earlier period of that year a considerable force under the command of Gen. Morgan proceeded up the valley on the way to Albany to join Gen. Gates, where they did brilliant service in defeating and capturing Burgoyne's army. Howe having finally decided to move his forces south to capture Philadelphia, Washington moved from the valley southward to meet and oppose him.

Although the valley was deserted by the main armies for the rest of that year, still the upper valley had its full share of attention and activity because of Sir Henry Clinton's movements along the lower Hudson, and the eventual capture of Forts Clinton and Montgomery.

During this absence of Washington and his forces, the battles of Brandywine and Germantown were fought and the sufferings endured at Valley Forge.

The early part of 1778 found the British in possession of Philadelphia, and Washington in that vicinity watching them. Sir Henry Clinton had succeeded Howe in the command of the British and decided to evacuate Philadelphia and retire on New York. He was followed by Washington and on June 28th the battle of Monmouth was fought. Clinton succeeded in reaching New York, and the American army took position in Westchester County.

The balance of this year was taken up by the movements of the two armies in that section and the campaign in Rhode Island. Although the main army did not visit the Ramapo Valley in that year, yet it was garrisoned by militia of New York, and upon the transfer of the prisoners of Burgoyne's army, which came at this time, from Boston to Virginia they were marched southward through Ramapo to Morristown and thence to their destination. During the Winter of 1778 the main army had quartered in New Jersey; I think it was at Ringwood, and in June of the same year they marched up the valley to Smith's Clove. They strengthened the defences on their march northward and encamped at "Smith's Clove." It was from this point that Gen. Wayne marched across the mountains to the capture of Stony Point.

During the Summer of 1779, the forces of Washington and Sir Henry Clinton were operating below the Highlands on both sides of the Hudson, and Washington in early August was at Ramapo, having his headquarters at the house of Andrew Hopper. From this point it was that Light Horse Harry Lee made his famous night attack on Paules Hook. It may be stated

that a portion of his force were Bergen County militia, and although they became entangled in the marshes surrounding the "Hook" and were thus prevented from taking active part in the fighting, still they contributed to the success attained by diverting the attention of the British from the movements of Lee's main force.

In September a portion of the American army, consisting of the Virginia Line, were at Ramapo, the rest of the army at Fort Montgomery and other points in the Highlands on both sides of the river. During the early part of 1780 we find Gen. Washington and army at his favorite camping ground, Morristown, and about July 4 they were again at Ramapo, Washington at the house of Andrew Hopper, and a few days later Count Rochambeau arrived at Newport with his fleet and army.

Between that time and September 23th, Washington had, with a portion of his army, passed King's Ferry to Westchester County, leaving Gen. Greene with the left wing at Ramapo. He later moved to Tappan. At this time Arnold's treason and Andre's capture culminated. On October 14, Washington had gone southward to Passaic Falls at Paterson. A few days later he was at the house of Col. Tennis Day at Preakness. This was on the west slope of the ridge between the Ramapo Valley and the Paramus Plains. We have now reached the crowning event of the war. The movement of the combined French and American armies across the Hudson at King's Ferry to begin their march to Yorktown and to the capture of Cornwallis. This movement began on August 19, 1781. The Americans taking the advance, their line of march brought them to Ramapough, where cantonments had previously been prepared on property of Mr. John Suffern, and were located about one mile east of the present railway station at Suffern. Washington arrived at Ramapo August 26th, followed by Rochambeau the next day. From there the two armies, keeping one day apart, proceeded down the valley to Pompton, and thence to Chatham, New Jersey, and on to Yorktown.

Of other happenings in the valley a few may be noted and none seem more distressing and lamentable than the mutinies of the Pennsylvania troops and those of New Jersey, which occurred at very nearly the same time, in the Winter of 1780-81. A portion of the New Jersey troops withdrew from camp, which was located on the west side of the plain at Pompton, and set up one of their own on the eastern side of the Ramapo River. Washington at the time was with his army encamped at New Windsor, from which place he dispatched Gen. Howe, who was from North Carolina and had been for some time in command of West Point, to quell the mutiny. His march was down the Ramapo Valley, to Southfields, thence across the hills to Ringwood and through the Wanoque Valley to Pompton. The mutineers were put under arrest and several of the leaders tried and two of them shot.

It has without doubt been inferred that our valley was a principal line of communication between the section north of the Highlands and the south, even so far as Virginia.

This was indeed true and, therefore, it will not be surprising to be told that post riders or messengers were waylaid and shot. Two of these attacks occurred between Ramapo and Pompton—one in the month of April, 1781, and the other about September of the same year. These dates being official, seem to confirm the traditions concerning such happenings.

The upper valley was scourged during at least the earlier part of the war by horse and cattle thieves, who harried and robbed the people of the valley and far into Orange County, stole and drove horses and cattle through the more secret passes of the mountains to the lines of the enemy. The story of the Claudius Smith gang is familiar to the older families of both Orange and Rockland counties. One of their outrages was the attack upon the Gregory family, who lived a short distance below the village of Monroe. In cruelty and fiendishness of detail this affair was scarcely equalled during the war, even by the Indians under Brandt and Butler.

A most spirited and successful affair, to the Americans, was the expedition of Col. Aaron Burr against a considerable party of British who had advanced so far as Hackensack, 20 miles south from Ramapough, at which latter place in September, 1777, Burr was stationed in command of Col. Malcolm's regiment, and had his headquarters at the house of Mr. John Suffern. Learning of the nearness of the enemy Burr determined to make an attack. With this in view, he put his troops in motion early in the morning and marched to within three miles of where the British were posted and proceeded to reconnoitre their position; after which he made careful arrangements for an attack early the following morning, which was completely successful, the greater part of the enemy being either killed, wounded or taken prisoners.

It is possible and also probable that it was at this time that he formed the acquaintance of the lady, Madam Provost, who afterward became his wife, as she resided at Hohokus, which was directly on his line of march.

With a view of giving an idea of hardships borne by the inhabitants of Ramapough, a letter written by some representative men of the section to Governor George Clinton is here given. Those men knew by personal experience whereof they wrote. It seems that Gov. Clinton had ordered Gen. McDougal to withdraw the troops then stationed at Ramapough for duty elsewhere, and this was the reason for their protest and appeal, which follows:

"To Governor Clinton: "May it please your excellency, we, the Civil Magistrates, Freeholders and Inhabitants of the south side of the mountains in the County of Orange, beg leave in most humble manner to lay some of its innumerable grievances before your excellency, hoping in your benign wisdom and benevolence towards your people you will lend your attention.

"With such confidence we make bold to lay our grievances before you. We understand by a letter from your excellency in answer to Col. Hays that your excellency has given Gen. McDougal authority to call the militia out from here and detach them in what manner seemeth him best. Sir, many



circumstance have occurred since the date of that letter. Several of our good friends have been robbed, many horses have been stolen from our best friends, a gentleman robbed near widow Sidman's of upward of eleven thousand pounds, New York currency, Esquire Satterly, of upward of two thousand pounds collected as tax. Information is now actually given that no less than nine different scouts of these most atrocious wretches is now, this instant, in and about these mountains bordering upon us, and their ready getting to the enemy in safety or within their line stands in need of more force than we are able to maintain to defeat them. These and many other such circumstances emboldens us to state our grievances to you. And whereas, we humbly conceive that your excellency as our General and Chief Magistrate is the only recourse from which we may hope for relief; and whereas, it is well known to some of the subscribers, since the above mentioned robberies a number of the good people here have but one night in three in their beds, and that without safety or comfort, on account of their dangers, and for some prospect of safety patrols are kept on the roads and paths every night.

"From these state of facts we hope your excellency will conceive that the men called from here by order of Gen. McDougal is a real grievance and actually renders us more defenseless. The many calls of the inhabitants with their teams and other things which the army wants in passing and repassing through this part of the State, takes at least one-sixth part of its inhabitants constantly employed in that way; your excellency will judge what strength we can have to defend our extensive frontier, besides the above mentioned internal enemies and many others that secretly harbor them. All which we humbly submit to your consideration.

"Paul Van d Voort, Varnet Van d Voort, David Pye, Jonah Hallsted, Theunis Cuyper, John Beekman, John Suffern."

Colonel Lewis DuBois and the 5th N. Y. Continental Regiment in the Revolution.

BY R. EMMET DEYO.

From a Compilation of Historical Records read before the Historical Society, February 8, 1906.

Mr. Deyo's contribution to our local history not being a formally prepared paper, the following report of his readings from the *Newburgh Journal* presents its principal points:

Before taking up the theme of the address, Mr. Deyo pleasantly referred to the circumstances of his introduction. He had hardly supposed, he said, that it would ever be necessary for him to be introduced to a Newburgh audience by a gentleman from Goshen. But the whirligigs of time had brought changes. The Chairman was now a Newburgher and the speaker was a stranger.

Some of the sources from which the materials for the address had been derived were mentioned. The biographical sketch of Col. DuBois had been prepared at the request of Mr. Ralph LeFevre, editor of the *New Paltz Independent*, and published in that paper. For much of the information the speaker was indebted to the indefatigable labors of his lifelong friend, Mr. Edward M. Ruttenber.

REVOLUTIONARY ORANGE BLOSSOMS.

The Fifth Regiment, New York Continental Line, and its commander, Col. DuBois, sustained to Newburgh and its vicinity in the Revolutionary War a relation like that of the 124th Regiment and its commander, Col. Weygant, in the civil war. Col. DuBois was one of the most distinguished men of his time in this vicinity. It was his fortune to render conspicuous service to his country in the Revolution. Several of his relatives were also prominent in the patriotic cause. His brother Zachariah was a Major in Col. Jesse Woodhull's regiment of Orange County Militia, and was taken a prisoner at the capture of Fort Montgomery. The first wife of Lewis DuBois was a sister of the wife of Jonathan Hasbrouck, who was Colonel of the Fourth Regiment of Ulster County Militia, and resided in the old stone house, now Washington's headquarters, at Newburgh. Thus Col. DuBois, his brother, and two brothers-in-law were leading men in the community in which they lived, and also served in the Revolutionary War as men of high rank.

ANCESTRY.

Louis DuBois, grandson of Louis DuBois, one of the proprietors of the New Paltz Patent in 1677. He was born about 1677. He married Rachel, daughter of Abraham Hasbrouck and Maria Deyo, at Kingston, January 19, 1701. Their second child, Nathaniel, was baptized at Kingston, June 6, 1703. In 1726 Nathaniel was married to Gertruy Bruyn, daughter of Jacobus Bruyn, of Shawangunk. About 1725 Louis (2), the father of Nathaniel, purchased from Vincent Matthews, one-half of the Rip Van Dam patent of 3,000 acres lying adjacent to the present village of Salisbury Mills, in what is now the Town of Blooming-Grove, but then in the precinct of Goshen, Orange County. This was the year before the marriage of Nathaniel, and no doubt he moved upon this land immediately afterward. Mr. Rutenber has discovered a deed among the Orange County records dated July 21st, 1747, which recites that Nathaniel had at that time become owner of these lands of his father. By this instrument Nathaniel conveys to Vincent Matthews forty acres of the original purchase by Lewis (2) from Matthews, described as lying on Murderer's Creek, where "the said Nathaniel DuBois now dwells," where Matthews had then erected or was about to erect a grist mill. This mill was on the site of the paper mill now owned by Henry P. Ramsdell, Esq., at the village of Salisbury Mills. The most conclusive evidence, however, that Nathaniel moved to Salisbury Mills, in Orange County, immediately after his marriage in 1726, is that the family record states that his second child, the subject of this sketch, born in 1728, was baptized at Goshen, Bethlehem Church, in the immediate vicinity, not having been organized until 1730.

The house in which Nathaniel resided, and in which his children were born, was a long, low stone building, situated on what is now the farm of Mr. Alpha Phillips, near the Village of Salisbury Mills, on the bank of Murderer's Creek, or the Otterkill as it is called in that vicinity. It remained standing until about 1849, when it was destroyed because it stood in the road-bed of the branch of the Erie Railroad between Newburgh and Greycourt. The foundations of the barn still remain, and the outlines of the barnyard can be plainly traced.

LEWIS DUBOIS.

On January 2, 1757, Lewis DuBois was married to Rachel Dubois at the Bethlehem Presbyterian Church. She was his second cousin. (They were the grandparents of the speaker's mother.)

Lewis was born in what is now Orange County, though the precinct of Newburgh and New Windsor at that time formed part of what was designated as Ulster County. While he was still a young man he removed to what is now the Town of Marlborough, Ulster County, and there resided upon land bequeathed to him by his father, until his death. The will of his father, dated in 1763, six years after the marriage of Lewis, gives to him "all that certain tract of land, farm or plantation situated in the precinct of New-

burgh in the County of Ulster and province aforesaid, whereupon he, the said Lewis, now lives." At the time of his removal the territory embracing his home was in the Precinct of the Highlands, in Ulster County. In 1763 this precinct was divided into the precinct of New Windsor and the precinct of Newburgh. Of the precinct of Newburgh, Lewis was elected Supervisor in 1764 and again in 1767. On August 8, 1763, a subscription paper was started to effect the building of a Presbyterian Church at Marlborough. It is headed by the name of Lewis DuBois for fifteen pounds sterling, and on a second appeal for funds to "finish the house, put glass in the windows and make doors," he contributed five pounds more.

ELECTED SUPERVISOR.

On Nov. 22, 1767, his first wife died. On April 10, 1770, he married Rachel Jansen. In 1772 the precinct of Newburgh was divided and the precinct of New Marlborough set off from it. The residence of Lewis DuBois was in the latter, and at the first town meeting held in the new precinct he was elected Supervisor. We now come to the exciting times of the Revolutionary War, in which the subject of this sketch took an active part, as he also did in the events which led up to hostilities.

He was present at New Paltz on April 7, 1775, as a delegate from the precinct of New Marlborough at a meeting of the committees of the several towns and precincts of Ulster County, to appoint deputies to serve at a Provincial Convention at the City of New York, to choose delegates to a General Congress in Philadelphia to meet May 10, 1775. He was also present at another meeting of the same committees held at the house of Mrs. Ann Dubois at New Paltz, May 11, 1775, to elect delegates to a convention which met in New York on May 22, but he was not a delegate to either of these conventions, although it has been asserted that he was, the mistake having arisen from his presence at the two meetings referred to.

One of the most important events of the year 1775 was the signing of the Articles of Association. Those who signed thereby committed themselves to the cause of the colonies, and the absence of a signature was strong presumptive evidence that its owner sympathized with the mother country.

EXPEDITION TO CANADA.

During the Summer of 1775 there was great excitement in the Province of New York over the proposed expedition for conquering Canada. The troops from New York were commanded by General Montgomery. One of the regiments was the Third of the New York Line, whose Colonel was James Clinton, a brother of Gov. George Clinton. Of one of the companies of this regiment Lewis DuBois was captain. His commission was issued June 28, 1775. On August 21 the muster roll of his company was returned and filed.

The term of enlistment was for six months. This company for some reason was known as the Dutchess company.

The speaker quoted Mr. Ruttenber on the part these men took in the invasion of Canada, and the siege of Quebec. While in the field Lewis DuBois was raised from Captain to Major. On March 8, 1776, he was made a Major in Colonel John Nicholson's regiment raised in Canada out of the four New York regiments which originally went there, the term of their enlistment, being only six months, having expired. General George Clinton wrote, in 1776: "Major DuBois is highly recommended to Congress as well by the general officers, as the Committee who lately returned from Canada."

At the same time Lewis DuBois was in Canada with Montgomery, he was second Major in Col. Jonathan Hasbrouck's militia regiment.

FIFTH REGIMENT.

The organization of the Fifth Regiment was referred to. The preliminary steps seem to have led to a clash of authority between the Continental Congress and the Provincial Convention. It was finally settled about the 21st of November, 1776. The Fifth Regiment was finally organized with a full set of officers, field and line, and commanded by Colonel Lewis DuBois.

Early in 1777 the fifth regiment was ordered to garrison duty at Fort Montgomery. On April 30 of that year a court martial, of which Col. Lewis DuBois was president, was there convened by order of Brig.-Gen. George Clinton, for the trial of all such persons as should come before them, "charged with levying war against the State of New York within the same, adhering to the King of Great Britain, and owing allegiance or deriving protection from the laws of the said State of New York." This court recommended that eleven men who were tried before them should be hanged.

ACTION AT FORT MONTGOMERY.

Col. DuBois's share in the battle of Fort Montgomery was quoted from Ruttenber's History. In this engagement, Col. DuBois received a bayonet wound in the neck. Incidents of the fighting were also cited from the account given by the Rev. John Gano, chaplain of the regiment. It was not true, as often asserted, that Col. DuBois was taken prisoner at Fort Montgomery. His brother, Major Zachary DuBois, of Colonel Jesse Woodhull's regiment of Orange County militia, was taken a prisoner and removed to New York.

After the first shock of defeat the disaster was found not to be as serious as at first supposed. Gen. Putnam writes to General Washington from Fishkill, 8 Oct., 1777: "I have the pleasure to inform you that many more of our troops made their escape than what I was at first informed of. Colonel DuBois, who is one of the number, this day collected near 200 of his regiment that got off after the enemy were in the Fort."

From Gen. Putnam, Gov. Clinton obtained Col. Webb's brigade and with them crossed the river to New Windsor, Orange County, on Oct. 8, the second day after the battle. On the same day Gov. Clinton wrote to the Legislature from his headquarters at the house of Mrs. Falls, which still stands in Little Britain Square, that "not more than eleven officers of Col. DuBois's regiment are missing. Two hundred of his men, including non-commissioned officers, have already joined me at this place, many more of them may be hourly expected as we have heard of their escape." By the time the British had destroyed the obstructions to the navigation of the river, a respectable force was again under the Clintons' command on the west shore.

SPY AND SILVER BULLET.

1757/881

Here the speaker rehearsed the story of Daniel Taylor, the spy with the silver bullet containing British dispatches, and gave incidents of the trial and execution of Taylor, some of which have not been generally known. Taylor was hanged on an apple tree near the village of Hurley. The tree stood until a few years after 1840, and bore a sweet red apple. There are still a few residents of Old Hurley who have eaten of its fruit. From the trunk projected toward the west a large limb about ten feet above the ground. To this the noose was attached. The bullet is now in the possession of the New York Historical Society. A curious fact is that when it was in the keeping of the Clinton family it was accidentally swallowed by a lad and recovered in the same manner as that in which Taylor was compelled to give it up.

BRITISH SAIL UP THE HUDSON.

The story of the British expedition up the Hudson after the battle of Fort Montgomery was then outlined by the speaker. Thirty sail passed Newburgh October 13, 1777, eight of them large, square-rigged vessels, all appearing to have troops on board. Gen. George Clinton wrote on that day that his troops, 1,000 men, were preparing to march to Kingston, to prevent the burning of that place. But only a portion of the advance guard got near enough to Kingston to behold the village in flames and the enemy retiring to his shipping. On the way up, the British fired their cannon at the houses of known rebels on either shore. Attention was paid to the house of Col. DuBois, which although not in sight of the river, was within easy cannon shot of it, the firing point being selected from the mouth of a brook emptying into the river, which was within close range of the house. This cannonade was harmless, but that the intention of the firing party was serious is evidenced by the cannon balls which have from time to time been dug out of a bank of earth a short distance west of the house. One of these, weighing $24\frac{1}{2}$ pounds, is now deposited in Washington's headquarters in Newburgh.

IN BARRACKS AT FISHKILL.

During the Winter of 1777-78 DuBois' regiment was in barracks at Fishkill, and was in a deplorable condition, the men being scantily supplied with clothing and suffering greatly. The destitution did not continue long after DuBois called Gov. Clinton's attention to it.

PUNISHING THE REDSKINS.

In July, 1778, the five New York regiments were brigaded under General James Clinton and took an active part in Sullivan's expedition against the Indians in the western part of the State in 1779. Col. DuBois commanded the Fifth New York on this expedition, and to him was assigned the hazardous duty of leading the right flank, with two companies of the German battalion and 200 picked men in addition. He took part in the engagement at Elmira, when the Indians under Brant, aided by a few British regulars and Tories, were routed.

JOHNSON'S RAID.

Lewis DuBois resigned his commission as Colonel December 29, 1779. This seems to have been brought about by the dwindling of all the regiments in the New York brigade, and the consolidation of the remnants. But he was inclined to be active, for we next find him up in the Mohawk Valley, engaged in repelling Johnson's raid. On July 1, 1780, he was named by the Council of Appointment a Colonel of the Levies. In October, 1780, while Sir John Johnson's raid was in progress, Col. DuBois, with 300 or 400 of the levies and 60 Indians under him, was in command of Fort Rensselaer, located on the site of the present village of Fort Plain. As usual, Col. DuBois had in this campaign the fighting position. The British were forced to retreat and the Americans followed them closely. Many were killed and wounded. There was, however, dissatisfaction with the whole course of Gen. Van Rensselaer in this campaign, and a court of inquiry was held to investigate his conduct on the incursions of Johnson in Tryon County. Col. DuBois testified in this case, and figured prominently in the testimony of the other witnesses. The result of the proceeding was the acquittal of Van Rensselaer.

RETURNS TO CIVIL LIFE.

This closed the military career of Col. DuBois. In 1781 he was again elected Supervisor of the precinct of New Marlborough. There are on file in the office of the Secretary of State petitions by him in 1791 and 1793 for lands under the waters of the Hudson River in front of his property at New Marlborough, which were granted. On June 4, 1794, Congress passed an act requiring the Comptroller of the United States treasury to adjust the accounts of Lewis DuBois as a Colonel, deranged in the line of the late army

of the United States, and to allow him the usual commutation of the half pay for life as a Colonel, and requiring the Register of the Treasury to grant a certificate for the amount of the balance due him.

About the year 1798 he was stricken with the palsy. On the 9th of May, 1799, he "was taken speechless," and lingered until Dec. 29, 1802, when the gallant old warrior died at his homestead, about half a mile north of the Village of Marlborough. Ulster County, in a house which was either built by him, or for him by his father, between 1750 and 1760, and in which he always lived. The house is now in substantially the same condition as when built. It is the property of William Harris, one of his great grandsons.

PATRIOT AND HERO.

His record shows him to have been a man of great courage, to have been esteemed and honored by his fellow citizens. He served his country well, and his descendants can feel an honorable pride in him.

He was buried in the cemetery of the Presbyterian Church at Marlborough, and over his remains is a monument with the following inscription:

"Happy are they that fear the Lord,
And all the sons of men,
Their souls to God their refuge make,
Who gives them peace divine.

Look down upon this stone as you pass by,
As you are now so once was I.
The living know that they must die,
But all the dead forgotten lie.

The dust returns to dust again,
Unto the regions of the dead.
Beyond this cold grave wherein I lie,
I hope to reign in eternal happiness."

THE COLONEL'S WILL.

The speaker read from the will of Col. DuBois, some of the provisions of which were amusing. For instance, to his "beloved wife Rachel" he gives "the northwest room in my present dwelling house, also the room to the east thereof, called the store-room, also one of my cellars in the same, and as much garret room and as much of the garden as she may stand in need of, and also of the water, and privilege of the bleach yard, together with a free and uninterrupted privilege of passing and repassing thro' the other part of my said dwelling, with her servants and attendants as often as she may think proper. Also the privilege of taking as many apples or other fruits out of the orchard and as much of the cyder when made, as she may have occasion for her



family use, all of which is to be at her command during her widowhood. Also I give unto my said wife Rachel two feather beds with the bedsteads and all the furniture thereunto belonging, together with her choice of my negro wenches, also my best cow, two iron pots, one pair of hand irons, one fire shovel and tongs, one trammel, one kettle, one set of teacups and saucers, my best cupboard with all my linen therein, as well as all the linen brought with her when I married her, together also with all her wearing apparel, also my best looking glass, half a dozen common chairs, my best table, one trunk, one-half a dozen of table knives and forks, one dozen pewter plates, my dresser with the glass doors, also one of my best horses."

The thanks of the Society to Mr. Deyo were happily expressed by the President of the Society, Mr. R. C. Coleman.

NOTE.—The roster of officers of the regiment in the Sullivan campaign included Lewis DuBois, Colonel; Henry DuBois, Adjutant and Captain-Lieutenant; Henry Dodge, Captain and Lieutenant; Michael Connolly, Pay-master and Second Lieutenant; James Johnston, Quarter-master and Ensign; Samuel Cooke, Surgeon; Ebenezer Hutchins, Surgeon's Mate; Captains—James Rosenkrans, John F. Hamtrack, John Johnston, Philip DuBois Bevier, James Stewart; Henry W. Vanderburgh, Lieutenant; Daniel Birdsall and James Betts, Second Lieutenants; Bartholf Vanderburgh, Francis Hammer, and Henry Vanderburgh, Ensigns. Lieut.-Colonel Bruin, Major Samuel Logan, and other officers who were taken prisoners at Fort Montgomery in October, 1777, were still in captivity, and their places on the active roll could not be filled. This condition of affairs led to the resignation of Colonel DuBois and to the consolidation of the regiment with other regiments of the New York Line. Soon after Colonel DuBois's resignation he was placed in commission as Colonel of a regiment of Levies, and rendered most excellent service in the battle of Klock's Field (now in Montgomery County) on the 19th of October, 1780. His term of service expired with that of the Levies under his command. Nathaniel DuBois, his last surviving male descendant, died on the family homestead at Marlborough, December, 1906.—EDITOR.





STEPHEN W. FULLERTON, 1st.

The Fullerton Family.

BY HON. WALTER C. ANTHONY.

Read before the Historical Society, October 3, 1906.

It is not easy to interest the general public in a biographical sketch of a person of their own time. Not only in his own country, but also among his own contemporaries, does a prophet seem to be without honor. The man of the past—(the more distant the better)—is the one in whom the public at large, and especially people of a historical tendency, seem to feel the deepest interest. And yet it must be from the records made by one's contemporaries that future historians shall draw their materials.

With this thought in mind I have sought to prepare this "Brief Sketch of the Fullerton Family as connected with the History of Orange County."

That family may well be deemed distinguished which produces one man of pre-eminent ability in any line of work. But when in one home, out of a family of seven sons and five daughters, three of the sons display marked superiority in a profession which taxes a man's energies more severely and measures his strength more critically than almost any other, that family certainly deserves to be held in honorable remembrance. Such was the record of the children of Stephen W. Fullerton and Esther Stephens, who were married in the year 1813, they then both being about twenty-one years of age.

Of their forebears not very much is known. The family name, variously spelled "Fullerton," "Fullarton," "Foulerton," or "Fowlerton," is quite widely extended throughout the British Islands.

In Scotland it is traced back, like the genealogy of every well regulated Scotch family, to a very ancient day and to divers mythical ancestors. The claim is made that these old-time worthies were the hereditary masters of the hawks to the Stewarts (later the royal family of Scotland), and that the family name was derived from that circumstance; they were the Fowlers or Foulers and their Keep (or Castle) was the Foulers' town.

If left free to guess for myself I should suspect that they were originally a group of bleachers, or fullers, and their hamlet became known from their vocation, while they themselves took their name from their family home. Be this as it may it is worthy of remark, in passing, that one of the name was the rector of the parish church at Stratford on Avon for many years, in the 18th Century, if the family records are to be trusted. The best authenticated statement as to that branch of the Fullertons which I am now concerned with makes them come from Dublin, Ireland. This account states

that William Fullerton, the father of the Stephen W. already mentioned, came to this country in the year 1786 when he was about twenty-one years old. He accompanied his father, who is said to have been named William also. They came from Ireland, and settled in the old town of Minisink, in this county.

The family traits and characteristics give little aid in deciding as to the nationality of this family. Between a logical Irishman and an emotional Scotchman it would be hard indeed to distinguish; and this seems to have been the combination which obtained in the members of the Fullerton family with whom I am chiefly concerned. They had Scotch heads and Irish hearts.

Impulsive, emotional, generous, sympathetic, and at the same time so logical, so farsighted, so self-contained, that their more mercurial traits were usually concealed.

Esther Stephens, the mother of this remarkable family of children, was of Puritan stock. Her ancestors came from Connecticut. She was recognized among all her neighbors and acquaintances as a woman of unusual force of character, tact, and kindness; full of good works and of charity.

It is a strange circumstance that both the grandmothers of this remarkable set of men were sufferers by reason of the Indian depredations at the time of our Revolutionary War. Their mother's mother was named Amy Cooley, and her mother was killed by the savages in one of their raids near Middletown, and three children of the family at the same time were carried into captivity, from which they never returned, save that one of them came, many years after, for a short visit to the neighborhood of his old home.

On the other side of the house their father's mother was named Mary (usually spoken of as Polly) Whittaker.

She was among the fugitives who fled from Wyoming Valley after witnessing the horrors of that famous massacre. Among the school children whose faces were marked with paint by Brandt in order that their lives might be spared by his followers, was this Polly Whittaker; and she fled with her parents and their other children, through the wilderness toward their former home in Orange County. The terrors and hardships of that journey may be imagined but cannot be described. As this Mary (Whittaker) Fullerton lived until 1840 and the Amy Cooley (Stephens) until 1874, it requires no effort of one's imagination to picture groups of their grandchildren gathered about them in the winter evenings, in the flickering light of the old-time fire-place, listening to their stories of the perils and hardships of the early settlers of that part of the country. Such accounts could not fail to make a deep and lasting impression upon the minds of such children as composed the circle around the hearth-stone of the Fullerton home. There were in all twelve children in this Rooseveltian family, as already stated, 7 sons and 5 daughters. And although the older ones were grown and removed from the old home while the youngest were still very



young there were for many years a few who could listen to these grandmother's stories. And a few such children as those were a host in themselves—active, vigorous, healthy, energetic, and as full of mischief and ingenuity as any children ever were in this world; I'll warrant that when they "played Indian" the old ladies thought the imitation almost as bad as the real thing.

They loved a contest, either physical or intellectual, to that degree that they would rather be worsted in a fair, clean, vigorous struggle than to suffer from what Shakespeare terms "the canker of a calm age and a long peace," and yet they were so kind-hearted and sympathetic that they would do anything except run, rather than actually hurt an opponent. They were famous wrestlers but I have never heard of them as pugilists. However had they been forced to a contest with fists as most boys are likely to be, sooner or later, their great physical strength, their quickness and activity, both of mind and body, and their unflinching courage, would have made them most formidable antagonists. These qualities which I have been referring to seem to have come to the sons of Stephen W. (the 1st) and Esther Fullerton from the father's side. He was a man of giant strength, close built and stocky, unusually quick and active, both physically and mentally, sympathetic, generous and kindly. His complexion was sandy and his hair was somewhat brighter in hue than "auburn" in his early days. He sometimes spoke of himself as "old sorrel." As illustrative of his physical strength and courage and his loyalty to a comrade—though in this case it was only a dog—I give this instance, which was told me by one of his sons. One Sunday afternoon he was looking after his cattle in some of the back fields of his farm; his only companion was his dog, and his only weapon was his walking stick. In some way the dog managed to get into an altercation with an old she wild cat and was rapidly being converted into strips and shreds. This was enough to rouse the Fullerton fighting blood and the old gentleman went to the assistance of his dog. When the contest ended, Mr. Fullerton was decidedly the worse for wear and his clothing was in tatters, but the wild cat was dead. Mr. Fullerton had finally got her by the throat and literally choked her to death.

This occurrence indicates too something as to the situation of that part of Orange County in those days—say seventy-five or eighty years ago. It was somewhat like a frontier country. Down to the time the Erie Railroad was opened as far as Goshen in the year 1841, Newburgh was the market town for the people of all that section of Orange County. Their trips to this city involved a drive of 25 or 30 miles each way and such a drive was in itself a stern test of endurance and strength. Amid such surroundings as these the older children of Stephen and Esther Fullerton grew up. Their father died in the year 1855 at the age of 62 years. In addition to working the farm on which he lived he had held various public offices from time to time.

He was a justice of the peace for 16 years, consecutively; for one term—

1837—he was a member of the Assembly; and in 1840 was appointed "Associate County Judge" of this county, an office under the Constitution of the State then in force resembling in its functions the "Justice of Sessions" of more recent times. This position he held for five years. These offices, while unimportant in themselves, show that Mr. Fullerton was held in esteem in the community in which he lived; and it may be that the fact of his holding them and the nature of the business to which they led him to give more or less of his time, had some influence in leading three of his sons to adopt the law as their vocation.

To these sons I now turn more particularly. They were Daniel (born February 10, 1814); William (born May 1, 1817), and Stephen W. (born Oct. 17, 1823). Daniel was never licensed as an attorney of the Supreme Court. Under the system which then prevailed he was admitted to practice in the County Court. He was one of the last men to be suspected, by those who did not know him intimately, of being a shy and diffident man—but such he was; and to that trait of his character it was probably due that he did not attempt to obtain admission to the highest courts. Of the success of such an attempt, had he made it, no one who knew him would have a doubt, for he was unusually well grounded in the principles of the law—at least of all those branches which by any possibility could be the subject of litigation or discussion in the lower courts. The writer was assured, more than once, by some of the older lawyers of the county who were well qualified to judge, that this member of the family was really the ablest of the three brothers. As Judge Gedney expressed it he was "the lion of the tribe of Fullerton." He had the quickness of wit and readiness of resource which characterized his more famous brother, William, combined with the caution, tact, and astuteness of his younger brother, Stephen W. In eloquence of speech he probably surpassed them both, for he was of an emotional nature and his tongue gave ready and fluent expression to sentiments of sympathy or pity. In this respect he differed from the other brothers. His educational advantages had been slight and he never fully overcame this deficiency. During the earlier years of his professional life his office was at Slate Hill—then Brookfield—where he resided, near the old homestead. Later in life—about the year 1860, I think—he removed to Goshen and had his office and residence there until his death—which occurred in the year 1865. In personal appearance he resembled his father, more than did any of the other children of this family. Not tall, stocky, of sandy complexion and prominent features. He was full of a spirit of innocent mischief always, and this often showed itself in an irresistible impulse for mimicry. His professional work lay in the lower courts, and he consequently was never connected with any cases of great importance. In the year 1849 he was a candidate for member of Assembly and received the certificate of election, but his opponent, Daniel T. Durland, made a



DANIEL FULLERTON.

contest, and after Mr. Fullerton had held the seat for two months the Assembly decided in favor of Mr. Durland and the latter served out the remainder of the session.

I turn now to the more famous lawyers of this remarkable trio—William and Stephen W. The former was the second son—(the third child)—born into this remarkable family. In boyhood he seems to have had better educational advantages than either of his brothers, so that at the age of 18 years, (i. e. in September, 1835), he was able to enter the junior class of Union College. This class—that of 1837—might well be termed one of Union's star classes. It contained an unusual number of men who subsequently became distinguished by reason of their ability or success. Among these was H. Wager Hallock, who during our Civil War was for a time the most conspicuous general in the Union Armies; and John K. Porter, who became one of the most famous lawyers in the State and a judge of the Court of Appeals; and Peter S. Danforth, who became a justice of our Supreme Court; and Owen T. Coffin, for many years the surrogate of Westchester County and a recognized authority in that branch of jurisprudence; also Joseph W. Gott, whose ability as a lawyer this whole county recognized 30 years or so ago. There were three other members of this class who subsequently became judges in some of the Western States, but I am not able to say whether the courts were important ones.

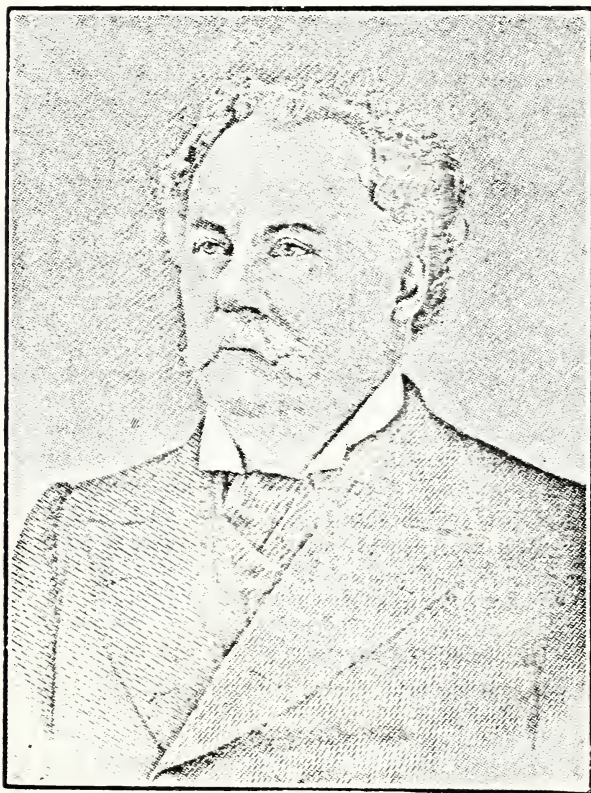
Mr. Fullerton did not remain to complete the collegiate course, however, but at the end of the junior year withdrew from college, and, as I am informed by Mr. Ruttenber, went to the South and taught school there for a time. The reason for his leaving college I have not learned—but the records of the institution show that he left "in good standing." This year at college and the preparation leading to it, must have had a marked influence on all his subsequent life.

He studied law at Newburgh with Wm. C. Hasbrouck, was admitted to the bar in 1839, and soon rose to a position of prominence, although the bar of this county at that time contained an unusual number of men of ability—John W. Brown, Thomas McKissock, Samuel J. Wilkin, Isaac R. Van Duzer, and Nathan Westcott were among the older leaders. And David F. Gedney, Joseph W. Gott, Benjamin F. Dunning, Eugene A. Brewster, and John J. Monell were among those of about Fullerton's age. In the year 1852, Charles O'Connor, then the recognized leader of the bar in New York City, found Mr. Fullerton pitted against him in some litigation concerning the Hudson River Railroad, and was so impressed with the younger man's ability and resourcefulness, that he invited him to become his partner. This flattering offer was accepted and the firm of O'Connor & Fullerton was formed. From this time on Mr. Fullerton's connection with public affairs in his native county may be said to have ceased. It need only be added therefore that he was thenceforth engaged in most of the important law suits tried in the metropolis, and his ability as one of the greatest trial lawyers in the country was universally conceded. His forte



was the cross examination of witnesses—that most dangerous weapon a lawyer can employ and quite as likely to do harm to the questioner as to the witness. For this part of his professional work Mr. Fullerton was peculiarly fitted. His quickness of mental action, his ingenuity and readiness of resource and his remarkable powers of concentration and memory made him a terror to the untruthful witness. He always reminded me of a Gatling gun in action when in the full swing of a cross examination. The first thing a witness knew he was likely to have sworn to a whole lot of things which could not be made to fit together—and Fullerton would be found to have noted every one of them and remembered them all.

After his removal to New York City his connection with Orange County affairs naturally diminished and it was seldom that he was concerned in any litigation in our courts. The case of Berdell vs. Berdell and the actions which that case gave rise to were among the exceptions to this rule. As to the merits or demerits of that celebrated case I have no knowledge, but it was a "battle royal." Mr. Berdell was a man of wide business experience, of superior mental powers and resourcefulness, and of sufficient financial ability to enable him to wage the fight to the utmost. The contest became in time largely one between him and the Fullertons, and in the end he was defeated, discredited, and financially ruined. The cross examination of Mr. Berdell in one of the series of trials was as remarkable a piece of work as was ever witnessed in the Court House of this county, and illustrated very clearly the difference of the methods of cross examination pursued by the two Fullerton brothers, William and Stephen W. The latter had cross examined Mr. Berdell for the better part of two days—cautiously, quietly, calmly, but all the time with relentless vigor, until he had involved him in a network of inconsistencies and contradictions which the witness himself had scarcely perceived but which would all be disclosed in the summing up. Then William came up from New York to cross examine as to some matters with which he was especially familiar. At once the conditions changed. The contest of mind with mind was open and visible to everybody in the court room. The questions followed one another rapidly, almost fiercely, yet so adroitly put that no ambiguous or shifty answer would avail. The witness met them and parried their force to the utmost of his power. Gradually he would work forward in the witness chair until he sat on its extreme edge, and he sitting there, while Fullerton stood close before him in the bar, looked one another straight in the eyes with an expression of mingled hatred and fear on the face of the witness and a look of distrust and detestation on Fullerton's countenance which gave evidence that no quarter would be asked or given. This scene lasted for several hours and it is no exaggeration to say that the audience watched it with bated breath. Three separate times Mr. Berdell was driven to say: "I cannot explain why I did that," or "why I testified to that." And when he reached such a climax he would settle back to his proper place in the witness chair, while Fullerton would open a new line of attack.



WILLIAM FULLERTON.

Taking into account the experience and mental equipment of the witness I deem this a most remarkable exhibition of Mr. Fullerton's powers as a trial lawyer.

The only public office he ever held, so far as I have been able to learn, was that of Justice of the Supreme Court. To this he was appointed in August, 1867, to fill the vacancy caused by the death of Mr. Justice Scrugham. By virtue of the arrangement then prevailing, which required some of the judges of the Supreme Court to act as judges of the Court of Appeals, Mr. Fullerton became, for a short time, a member of the last named court. And thus, by a strange combination of circumstances, he and his college classmate, John K. Porter, just 30 years after the class graduated, were members of this august tribunal at the same time.

Perhaps this old acquaintance and friendship was the reason why Porter stood by Fullerton so loyally a few years later when the latter was attacked by the New York whiskey ring. I do not feel called upon to go into the details of that matter at any length, but I wish to state one or two facts which were known to very few persons, most of whom have passed to the land of silence. As is generally known, Mr. Fullerton was charged with frauds against the United States Government in connection with the settlement of some actions relating to the revenue tax on whiskey.

The moving spirit in this prosecution was Samuel G. Courtney, then the United States District Attorney for this (Southern) District of New York. The reason for his attack on Mr. Fullerton is now disclosed for the first time, I think. It was this: Mr. Fullerton had great influence with Andrew Johnson, then the President, and had received from him a promise that Mr. Courtney, with whom as a public officer the President was not satisfied, should be removed, and that Stephen W. Fullerton should be appointed in his place. In some way Mr. Courtney learned of this bargain and he and his friends had influence enough to induce President Johnson to revoke, or break, his promise. Then Mr. Courtney started in for revenge, and he would have got it, too, had his plans not miscarried. As district attorney he had great power in selecting jurors, and having got a jury summoned to his mind and a judge who was, I think, a near relative of his, designated to hold a term of the court at which the charge might be tried, he was prepared to convict the accused, no matter how innocent he might be. Nothing saved Fullerton at this crisis but the friendly intervention of his warm personal friend, William M. Evarts, who was then the Attorney General of the United States, and who instructed Mr. Courtney not to bring the Fullerton case to trial at that term of the court. At the next term an unbiased judge presided. The case was brought to trial. Fullerton's old friend, John K. Porter, one of the most eloquent men at the bar of this State (Then or ever), stood by the accused, so did Edward M. Stoughton and others of the leaders of the bar. They were volunteers all in his defence. The result was a complete vindication of Mr. Fullerton; the judge directed the jury to acquit him, thus in effect



branding the prosecution as groundless and therefore as vindictive.

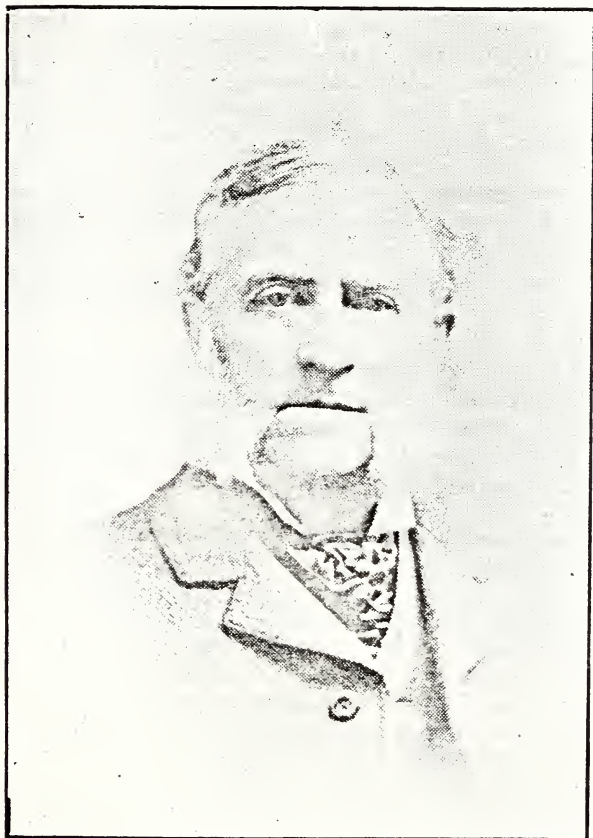
This I believe to be a correct statement of the salient facts of his prosecution. I was kept informed at the time as the affair progressed of all, or nearly all, the matters I have stated.

William Fullerton was born May 1, 1817, and died March 18, 1900, at the age of nearly 83 years.

The youngest of this trio of lawyers, Stephen Whittaker (named for his father), was the sixth child and the fourth son of the family. At the age of about 16 years he started out to make his own way in the world. For a time he was a junior clerk in the post office in this city (then village), and the late Edson H. Clark, who was his fellow clerk, has told me of their waiting often until late into the night for the mails to arrive by the steamboats which then carried the mails between New York and Albany during the season of navigation. A year or two later he began the study of the law in the office of his brother William. He married Mary Halstead and began his professional life by opening an office at Slate Hill with his brother Daniel. At the instance of his brother William he removed to Newburgh a few years later, and here he slowly but surely made his way to the foremost rank in his profession. One of the most interesting and important matters of a public nature with which Mr. Fullerton was concerned during his residence in Newburgh was the investigation of the alleged misuse of what was known as "the bounty bonds." These were bonds issued by the Town and Village of Newburgh for the purpose of raising the money needed to pay the bounties of men who had volunteered for service in the army during the war of the Rebellion. At this late day it would serve no useful purpose to enter upon an explanation of the details of that investigation. Suffice it to say that there was a deficit of a considerable amount; that Hon. John W. Brown, a leading Democrat of this city, learned various facts which convinced him that a defalcation existed; that he at once caused a public meeting to be called and held at the old Opera House, to set on foot an investigation; that for the sake of the families of the parties who were at fault and also in order to avoid political complications in connection with these bonds, it was deemed essential that the scandal should be suppressed. The tact and ability with which this was done by Mr. Fullerton excited the admiration of every one who knew anything of the actual condition of affairs. It was never known save to a very few of his most intimate friends, but it was a fact, nevertheless, that he advanced several thousand dollars out of his own pocket in order to make good the deficit, and I might add another fact which was known to a still smaller number, that the money so advanced by him was never repaid. He saved his friends, his clients and his party at his own cost.

In the year 1873 he removed to New York City and formed a partnership with his brother William—the firm name being at first Fullerton, Knox and Crosby. Mr. Fullerton's career as a metropolitan lawyer was a quiet and steady progress towards "the very first line" and he soon came to be





S. W. FULLERTON.



recognized by his fellow lawyers as fully equal to his brother William in all the qualities which go to make a great lawyer. Had it not been for a very severe injury which he received in the year 1891 by being thrown from his wagon while driving in Central Park his career in New York would have been one of unbroken success. But after that accident he was never quite the same as before. His phenomenal mental qualities had lost an undefinable something which left him less able to cope with the duties and problems of his professional work. He fought on however to the end as best he could, always the same unselfish, generous, courageous, loveable man. With him "Sorrow's crown of sorrow" was his inability to aid others. He died at Middletown, N. Y., on April 3, 1902, in his 79th year. At a meeting of the bar held at Newburgh to adopt resolutions of respect, very high tributes were paid to his memory by his former partner, Mr. Rushmore, of New York City; by Luther R. Marsh, of Middletown, and by Hon. M. H. Hirschberg, presiding justice of the Appellate Division of our Supreme Court. All these addresses were admirable, but that of Judge Hirschberg was pre-eminently so, and was so fit and just a tribute to Mr. Fullerton's memory that I venture to quote from it freely. Judge Hirschberg said:

"His greatness was innate. It was the result of native talent and genius and not at all of adventitious aid or fortunate surroundings. He had a mind that was at once alert, sagacious, clear, powerful and comprehensive; a temperament that threw him, body and soul, into a client's cause so that he would win if he could, not for gain, as in this commercial age, but, if need be, at the sacrifice of every dollar he possessed; and above all a shrewdness, an adroitness, an instinctive subtlety in the comprehension of human nature and its complicated motives and impulses and in anticipating its least expected manifestations only equalled, if at all, in the marvelous creations of fiction. I shall not hesitate to express the opinion as a deliberate judgment, formed after nearly thirty-six years of experience and observation, that in his prime, when he was in the plenitude of his health and vigor, the issue of fortune, of honor, aye, of life itself, was as safe in his professional keeping as in that of any other man, however high in standing and repute, who then practiced law in the State of New York.

"To speak of Judge Fullerton as a man is to speak wholly of sweetness, gentleness, kindness and geniality, companionability, wholesouled friendliness and generosity. His heart was as large as his mind. His friendship was heroic in its loyalty, of that rare kind that brooks neither offense nor calumny, but adheres alike through evil and through good report. With him no lie about a friend could ever gain a hearing.

"His life was full of stainless honor, modest usefulness and manly self-respect. A noble and commanding figure has floated down the current of our contemporaneous life into the mysterious and fathomless sea of the unknown. A great heart has ceased to throb, a mighty voice is stilled."

Stephen W. Fullerton in his lifetime had filled various offices. He was

a member of the Assembly for the session which began in January, 1858. He was a member of the Constitutional Convention of this State which met 1867. In that same year he was a candidate for the office of Supreme Court Judge. His opponent was Abraham Tappan, of Brooklyn, who was elected, much to the subsequent regret of the lawyers of the District. In 1868, he was chosen District Attorney by an overwhelming vote; and in 1871 he was elected County Judge by a majority of nearly twenty-five hundred, an unprecedented vote at that time for this county.

His personal popularity was unbounded. His friendly, loyal, unselfish disposition attached people to him strongly and permanently. His phenomenal ability as a lawyer was always at the service of any one who had any sort of claim upon him and the compensation he should receive was a matter of very slight moment to him. He was generous to a fault. I venture to say—and I speak with a somewhat intimate knowledge of his ways—that he gave away as much money in his lifetime as would constitute a very considerable fortune. Indeed his generosity seemed to an observer somewhat indiscriminate, but it was consistent when once you grasped the underlying motive. He gave, not because the recipient deserved, but because he needed, help. He imitated Him who "sendeth rain on the just and on the unjust." A truer, kinder, more loyal or more courageous heart never beat. A clearer, keener, more vigorous mind it has never been my fortune to come in contact with.

One of the remarkable things about all three of the Fullertons concerning whom this account has been written was their openness of mind and breadth of view. There was nothing narrow, little, mean, or provincial about them. Considering the surroundings amid which their early lives were spent this seems to me one of the many points in which they were superior to their circumstances.

Of the men of this family who did not adopt the law as their vocation, two, viz: Benjamin and John H., followed mercantile pursuits, and as the making of money was not one of the gifts of the Fullertons, their success was not conspicuous. One of the brothers, Peter by name, was a farmer in Virginia. And Holloway, another brother, was killed in a railroad accident in early manhood. He is said to have had the nimblest wit and to have been the quickest at repartee of all the family.

The daughters married as follows:

Elizabeth, married Peter Mills.

Mary, married Coe Mills.

Elsie, married John H. Decker.

Esther, married Wallace.

Frances E., married Isaac Halstead.

It is due to the memory of one of the grandsons of Stephen W. Fullerton (1st), that some mention should be made of him in this article. I refer to Stephen W. Fullerton, Jr., (the third Stephen W.), a son of Daniel, who

studied law and entered upon the practice of his profession in this city with every promise of a brilliant career. He was a member of the Assembly of 1861. At the breaking out of the war of the Rebellion he volunteered in the 3d Regiment, N. Y. Volunteers, but soon after contracted an illness which ran into typhoid fever, from which he died in the year 1861.



The Ancestral Home of Washington.

BY THOMAS M. PECK.

Notes of Travel Read Before the Historical Society, November 7, 1906.

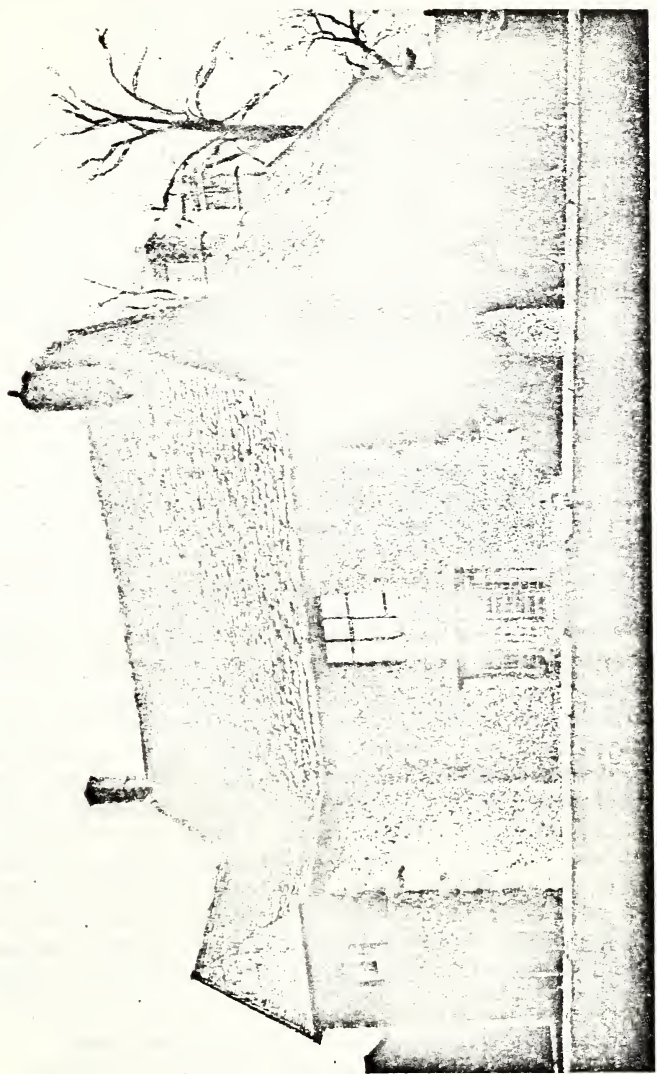
Mr. Peck, on his latest trip abroad, visited the ancestral home of the Washington family at Sulgrave, nine miles from Banbury, England. He read a very interesting and valuable paper describing the visit to the home of George Washington's ancestors, and gave in addition incidents of travel among the villages of Old England and an account of some of the observances that have come down from the ages of the past and strongly impress the observer in these modern times. Mr. Peck read as follows:

Our visit to Banbury and indirectly our visit to the Manor House at Sulgrave, which was the ancestral home of the Washington family, was owing to a bit of sentiment on our part. Almost every child of American parentage has heard the nursery rhyme which runs as follows:

"Ride the black horse to Banbury Cross,
To see a fine lady ride on a white horse,
Rings on her fingers and bells on her toes,
She shall make music wherever she goes."

And so we went to Banbury.

It is a handsome old town full of interest from the history and traditions connected with it, for all old English towns are rich in history and in legendary lore. It is also interesting from the number of ancient buildings, which are in good preservation and which date back to the reigns of King Charles. Queen Elizabeth and Henry VIII. There are two business streets, each of good width, and each terminating in a spacious square, at the head of one of which is the town hall. The streets are well lined with shops, generally attractive looking and well filled. One old building, The Red Lion Inn, was particularly interesting; the large reception room is finished, both walls and ceiling, in oak, beautifully carved, dating back to the time of Queen Elizabeth. The side streets run irregularly and abound in quaint looking old buildings, interesting from their antiquity, for the tradition of many centuries cluster around them. Banbury is a market town and fortunately for us it happened to be market day when we were there. The streets were thronged with country people: and temporary pens were put up in the square, which were filled with cattle, sheep and pigs. Banbury was loyal to the crown during the Civil War, which resulted in the success of the Parliament and the assumption of the reins of government by Cromwell as Lord Protector. A



THE ANCESTRAL HOME OF THE WASHINGTON FAMILY. MANOR HOUSE, SULGRAVE, NORTANTS, ENGLAND.



quaint verse accompanying a painting is extant showing the derision felt by the Royalists towards the Puritans:

"To Banbury came I, O profane one,
Where I saw a Puritane one,
Hanging of his cat on Monday,
For killing of a mouse on Sunday."

Banbury, like most of the English towns, clings to the old traditions and observances, so every year the "fine lady rides on a white horse," heading a procession of cavaliers and attendants, arrayed in a costume of the Middle Ages, with battle axes, spears, banners and coats of mail; the houses being decorated and the occasion being a general holiday. A milliner of the town, who is a good equestrian, and who is a woman of fine presence, has had the honor of being the "fine lady" for the last two celebrations. On market day in a market town in England the streets are thronged with country people, and from every hamlet or neighborhood for miles adjacent, there comes into town large two-wheel cars owned by men who make a business of bringing truck to market, executing commissions for the neighbors and carrying one or more passengers as they may have room. The covering of the carts is lettered upon the sides, giving the owner's name with the word "Carrier" below and the name of the hamlet from whence he plies to the market town. We had stopped in a stationer's to buy some picture cards, when the stationer said to me, "You being an American should go to Sulgrave and visit the Washington Manor House." He informed us that it was nine miles away and was not upon a railroad. So after a pleasant drive through a rich farming country, we reached the old hamlet of Sulgrave, near which is the Manor House. It is a spacious old mansion of two stories, built of stone, and attic with tile roof, all in excellent preservation. It is evident that there has been no changes in the place since it was first erected, and the family arms are still over one of the gables, covered with a frame work of glass to preserve them from the action of the elements. The main edifice is about sixty feet in length, with a wing forty feet, and is situated about three hundred feet from the highway. There is one hundred and eighty acres in the estate, which is owned by a Mr. Pack, to whom it came by inheritance in 1745. It is occupied by a tenant farmer, Mr. Cave, and the grounds appear rather neglected. The parish church is near and is an ancient edifice. The Washington family are interred near the altar of the church; one would infer from the inscription upon one of the tombs, that Laurence had been a family name, as it appears several times in the family history. The tomb in question, which is one of the principal ones in the church, is inscribed as follows:

"Here lyeth buried ye body of Laurence Washington, Gent., and Amee, his Wyf, by whome he had issue IIII sons and VII daughters."

"Mr. Laurence dyed 15 day of Aug., 1585, and Amee, deceased, VI day of Oct. An-dm, 1564."



A handsome brass tablet in the wall over the tombs gives the following record of the family:

"Laurence Washington, grantee of Sulgrave, 1538, died 1585. Robert Washington (eldest son) of Sulgrave, which he sold in 1610. Laurence Washington (eldest son) of Sulgrave, died 1616. John Washington (second son) of South Cave, Yorkshire, emigrated to America about 1657. Laurence Washington of Bridges Creek, Westmoreland County, Virginia, died 1696. Augustine Washington (second son) of Bridges Creek, Virginia, married Mary, daughter of Colonel Ball, of Lancaster County, Virginia, died 1743. George Washington (third son) born at Bridges Creek, February 11, 1732, died at Mount Vernon, Dec. 14, 1799."

The complete disappearance of the family, so far as any living representative of it is concerned, is somewhat remarkable.

John Washington, the great grandfather of George, and who settled in Virginia in 1657, had a fairly large family. His eldest son, Laurence, had three children, John, Augustine and Mildred.

Augustine married twice; by the first marriage with Jane Butler, there were four children. Two of them, Laurence and Augustine, grew to manhood. By the second marriage with Mary Ball, there were seven children, George, Betty, Samuel, John, Augustine, Charley and Mildred. The father died when George was but twelve years old. Laurence inherited the estate now known as Mount Vernon, and George, his father's usual residence, nearly opposite Fredericksburg. He inherited Mount Vernon by the death of his half brother, Laurence.

It will be noted that George Washington's father, Augustine Washington, had by his two marriages ten children, all of whom, it is presumed, died childless; at least we know that Augustine and George, who inherited the landed estates of their father, were childless.

The Washington estate at Sulgrave is for sale. It would be greatly appreciated by our countrymen who happened to be traveling in England, if some wealthy American would purchase the estate, and provide for its preservation, as well as its being kept as an interesting spot for Americans to visit.

Aside from the associations of the Manor House, the neighborhood has much to interest one. The little hamlet is very quaint, the cottages are all of stone, and almost every roof thatched. There are two streets, called respectively big street and little street; the parish church is very ancient, and abounds in interesting old tablets and tombs, on one of which is recorded the death of a child of whom it reads that she was born in October, 1697, and died in March of the same year. The inference drawn is that the artisan who did the work had stopped too long and imbibed too much at the Village Inn. Near the parish church is a long, narrow hill, so peculiar in shape and so evidently artificial that I was led to inquire as to its origin, and was informed that it was thrown up by Cromwell's soldiers, when they were being hurried by the fiery and dashing Rupert.

Great oaks were growing upon the embankment, which for generations to come will be a perpetual reminder of the fierce Civil War. The clock on the church tower reminded us that we should be on the road to Banbury, so we unwillingly departed from the peaceful hamlet, which had so much in the associations which cluster around it which is interesting, and so much in its environments which is beautiful. We purchased such picture cards as we could, at the little shop, which was the sole mercantile establishment of the place; glanced at the glow of the flaming forge of the village blacksmith and bade adieu to the old sexton, who for forty-five years had performed the duties of his office, and whose bent figure and feeble form suggested that—

“Soon some trusted brother of his calling will do for him what he has done so long for others.”

Traveling among the hedge rows and in the by-ways of England is full of interest. Nature has done much and man has for so many centuries been moulding nature, that almost every prospect has a peculiar beauty of its own. There is a freshness about the verdure, which comes from the insular situation of the country, and which gives so often a misty haziness to the atmosphere and undue moisture to the climate, so that the beauty of early Spring lingers very late. One cannot know England well, except by spending some time in the villages, for it is there one meets a people of purely English stock. If I was asked what impressed me most among the people in the villages, I should reply that more than anything else I was impressed with their fondness for flowers and pets. No matter how humble the cottage, if there was any room for flowers, they were sure to be there, and if there was no strip of ground for growing them, the rows of flower pots in the windows would tell the story of their love for them. And as for pets, the dog and cat are loved inmates of almost every household.

The villages themselves are ancient in years, rich in history, and very picturesque in appearance, looking as though they had been finished centuries ago, and as for old families, the families in the English villages are all old. The humblest family can, if they will, trace the history and simple annals of their ancestors for many centuries, in the Parish register, so it may be noted that old families abound, from that of the humblest villager to the family of the Lord of the Manor.

Almost all of the villages are recorded in Domesday book, and that means a thousand years of recorded history. I cannot imagine any place in the civilized world where one can live so entirely apart from the busy life of this age.

“Cranford,” the little volume written by Mrs. Gaskell, is a faithful delineation of the English village life of the community, almost entirely urban in their lives and thoughts. The description given is said to have been drawn from the everyday life of a village with which she was in close touch. It impresses me, when stripped of some of its romantic features, as being a picture which would apply well to the life in many of the villages of to-day.



At the conclusion of Mr. Peck's reading, President Coleman said the lines about hanging the cat reminded him that he had in an old book in his library a woodcut illustrative of that scene, but he had supposed it had reference to something that happened in New England. Mr. Peck explained that it belonged to the history of the old town of Banbury, England.

Mr. Peck exhibited a number of photographs of scenery and buildings which he had brought from the Banbury region, among them one of the pictures of the hanging of the cat, and one of the Washington Manor House at Sulgrave, which were examined with interest by many of the audience. Altogether Mr. Peck's notes formed a pleasant and instructive entertainment.



Memorial Minute.

At a meeting of the Historical Society held November 7th, 1906, the following report was received and ordered inserted in the minutes:

Mr. President:—The committee appointed to report a minute for entry on the records of this Society, particularly with reference to the loss which the Society has sustained by the death of Rev. William K. Hall, D. D., has ventured to enlarge somewhat the specific duty for which it was appointed and to include in its mention Charles F. Allan, Rev. William Walsh, Joseph McCarrell Leeper, and Leander Clark, Jr., who have passed from our roll by death during the past year—men useful and honorable in the activities which were around them in life; men useful and honorable in this Society, as well as in other associations, religious and civil, which have for their object the cultivation of the principles of a higher, better life—the good, the true and the beautiful, the golden stars in the canopy of thought.

As an especial minute of respect for the memory of Rev. William K. Hall, it is not deemed pertinent to repeat his biography, nor to add the mortuary testimonials of the church over which he presided for over thirty years, or those of the several associations of which he was a member. Born and educated in New England where the cultivation of regard for the history of the pioneers and the preservation of their homes is more general than it is in cosmopolitan New York, he came among us fully indoctrinated with the spirit of the command of the Prophet: "Remember the days of old, consider the years of many generations; ask thy father and he will shew thee, thy elders, and they will tell thee." He united with this Society soon after its organization, gave to it his counsel and encouraged it by his presence at nearly all of its meetings. His most excellent literary work in connection with it was his Historical Address on the occasion of the observance of the Centennial of the chartered organization of our local government—his last work, a tribute to the late J. Hervey Cook, his active contemporary in our ranks and whom he esteemed very highly.

In his association with us he was a teacher by example as well as by earnest conviction, and this character he maintained most eminently in all his walks and ways—in his church, a "teacher sent from God," having his Master's work to do—"a large Christian man, big of heart, unselfish, loving his Lord devoutly," loving his fellow men whether rich or poor, and wrote that love by many acts on the hearts of a very large number of men and women with whom his calling placed him in contact or to whom he was drawn by association—a cheerful man, a companionable man, a man among men yet who stained not his robe of white—a man who by his faith and by his works was ever



"Pointing to sheltering heavens yet to be"—
"Where the morn shall wake in gladness,
And the noon the joy prolong;
Where the daylight dies in fragrance
'Mid the burst of holy song."

Struck down in the midst of his usefulness, "in a moment, in the twinkling of an eye," his last brain-consciousness perhaps that of the touch of the loving hands that hurried to his aid as he fell under the fatal stroke, he left to society the force of his example and to us a memory of his usefulness that should not be without its impress.

E. M. RUTTENBER,
J. W. F. CARLISLE,
CHAS. E. SNYDER.

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